

4769. Also, petition of 11 members of the National Woman's Party and League of Women Voters of New York City, urging committee report on House bill 9240; to the Committee on Expenditures in the Executive Departments.

4770. Also, petition signed by 25 substitute postal employees of Albany, N.Y., having served from 4 to 10 years as substitutes, urging immediate hearing and favorable committee report on House bill 6560, for making regular appointments in the post office to fill all existing vacancies; to the Committee on the Post Office and Post Roads.

4771. By Mr. JENKINS of Ohio: Petition signed by 66 employees of the Chesapeake & Ohio Railway, petitioning Members of Congress to vote for Senate bill 3231, commonly called the "railway employees' pension bill"; to the Committee on Interstate and Foreign Commerce.

4772. By Mr. LINDSAY: Petition of Fred F. French Cos., New York City, urging support of House bill 7240 and Senate bill 2471; to the Committee on Banking and Currency.

4773. Also, petition of the Merchants Association of New York, New York City, opposing the rider attached to the bank-deposit guaranty bill by the House Committee on Banking and Currency; to the Committee on Banking and Currency.

4774. Also, petition of Edward J. O'Connor, attorney, New York City, urging amendment to the deposit guaranty bill to read "January 2, 1929", instead of "December 31, 1929"; to the Committee on Banking and Currency.

4775. By Mr. McLEAN: Petition of 166 residents of the Sixth Congressional District of New Jersey, petitioning Congress to restore to Spanish War veterans and their widows and dependents all benefits enjoyed by them as of January 1, 1933; to the Committee on Pensions.

4776. Also, petition containing 97 names, and resolution of the Holy Name Society, Holy Trinity Roman Catholic Church, Westfield, N.J., regarding radio station WLWL and the communications bill; to the Committee on Merchant Marine, Radio, and Fisheries.

4777. Also, petition containing 65 names and resolution of the Holy Name Society of St. Michael's Church, Cranford, N.J., regarding radio station WLWL and the communications bill; to the Committee on Merchant Marine, Radio, and Fisheries.

4778. Also, petition of the United Brotherhood of Carpenters and Joiners of Westfield, United Brotherhood of Carpenters and Joiners of Elizabeth, Central Labor Union of Plainfield and vicinity, Workmen's Sick and Death Benefit Fund of the United States of America, Hillside, all of the State of New Jersey, regarding the Wagner-Lewis unemployment-insurance bill; to the Committee on Labor.

4779. Also, petition of the Metal Polishers', Buffers' and Electro Platers' Union No. 44, of Newark, N.J., regarding the Wagner-Connery Disputes Act; to the Committee on Labor.

4780. By Mr. McLEOD: Petition of approximately 24,506 citizens of Detroit, Mich., forwarded by the Detroit Times, urging the immediate adoption of the McLeod bank depositors' pay-off bill; to the Committee on Banking and Currency.

4781. By Mr. RUDD: Petition of Fred F. French Cos., New York City, favoring the passage of House bill 7240 and Senate bill 2471; to the Committee on Banking and Currency.

4782. Also, petition of Plunkett-Webster Lumber Co., Inc., New Rochelle, N.Y., favoring the passage of House bill 9620, providing for repairing and the improvement of existing homes; to the Committee on Banking and Currency.

4783. Also, petition of the Merchants Association of New York, opposing certain amendment to the bank-deposit guaranty bill; to the Committee on Banking and Currency.

4784. By Mr. TARVER: Petition of 1,000 students of the Georgia State College for Women, Milledgeville, Ga., asking for an increased appropriation to the United States Institute of Health Research; to the Committee on Appropriations.

4785. By the SPEAKER: Petition of members of the St. Francis Holy Name Society of Lodi, N.J., endorsing the proposed amendment to section 301 of Senate bill 2910; to the Committee on Merchant Marine, Radio, and Fisheries.

4786. Also, petition of W. W. Stickney and others, of Sacramento, Calif., urging the passage of House bill 9596; to the Committee on Interstate and Foreign Commerce.

4787. Also, petition of the County Donegal Men's Social and Protective Association, Bayonne, N.J., supporting the amendment to section 301 of Senate bill 2910, providing for the insurance of equity of opportunity for non-profit-making associations seeking licenses for radio broadcasting; to the Committee on Merchant Marine, Radio, and Fisheries.

4788. Also, petition of the City Council of the City of Chicago, declaring itself in favor of a ruling which would exempt city purchases from the N.R.A. codes; to the Committee on Ways and Means.

4789. Also, memorial of the Board of Supervisors of the City of San Francisco, Calif., urging the immediate passage by Congress of a bill having for its purpose the immediate redemption of adjusted-compensation certificates for World War veterans; to the Committee on Ways and Means.

SENATE

FRIDAY, MAY 25, 1934

(Legislative day of Thursday, May 10, 1934)

The Senate met at 10:30 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. ROBINSON of Arkansas, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day, Thursday, May 24, was dispensed with, and the Journal was approved.

MEDALS OF HONOR, ETC., FOR OFFICERS AND MEN OF COAST GUARD

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting a draft of proposed legislation to place officers and men of the Coast Guard on the same basis as officers and men of the Navy with respect to Medals of Honor, Distinguished Service Medals, and Navy Crosses, which, with the accompanying paper, was referred to the Committee on Commerce.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the convention of the National Society, Daughters of the Revolution, favoring the equipping and developing of Reserve Officers' Training Corps units so as to provide for trained and intelligent officer personnel, and the making of adequate appropriations for the Citizens' Military Training Camps and Reserve Officers' Training Corps, which was referred to the Committee on Appropriations.

He also laid before the Senate a resolution adopted by the convention of the National Society, Daughters of the Revolution, protesting against the ratification of the so-called "child-labor amendment" to the Constitution, which was referred to the Committee on the Judiciary.

He also laid before the Senate a resolution adopted by the Council of the City of Portland, Oreg., favoring the passage of the bill (H.R. 7598) to provide for the establishment of unemployment and social insurance, and for other purposes, which was referred to the Committee on Education and Labor.

PROTECTION OF CONSTITUTIONAL SAFEGUARDS

Mr. KEAN. Mr. President, I submit for the RECORD resolutions adopted by the Women's Republican Club of Barnegat, N.J., which they have asked me to put into the RECORD.

The PRESIDING OFFICER. Without objection, the resolutions will be received, lie on the table, and be printed in the RECORD.

The resolutions referred to are as follows:

BARNEGAT, N.J., May 7, 1934.
United States Senator HAMILTON F. KEAN,
Washington, D.C.

Whereas the Republican Party, under the leadership of Abraham Lincoln, guided our country through an emergency far greater than the present and saved the Union founded on the Constitution; and

Whereas the chief bulwark of our Union is the full and free functioning of the legislative, judicial, and executive branches of our Government as provided in the Constitution; and

Whereas never before has a President in time of peace demanded from Congress the surrender to him of so many of its prescribed powers in order to experiment with our constitutional safeguards under the guidance of irresponsible advisers; and

Whereas the socialistic trend of the present administration, with its creation of a vast bureaucracy endowed with arbitrary powers, its entry into all spheres of activity by an unparalleled expenditure of Federal funds, has created the greatest menace to individual rights and liberties since the foundation of our country: Therefore be it

Resolved, That the Women's Republican Club of Barnegat and vicinity, recognizing that only the preservation of the Constitution can secure our rights and freedom against the tyranny of personal rule or dictatorship, protests the abdication by Congress of its constitutional powers and duties; protests the establishment, under the guise of an emergency, of a bureaucratic socialism endangering the liberties of our citizens; protests experimenting with remedies which throw to the winds the constitutional safeguards which have brought us through 150 years of our existence as a Nation; and be it further

Resolved, That we commend the courage and patriotism of those legislators in Washington who are publicly raising their voices to warn our citizens to "stop, look, and listen" before they sell their birthright and independence for a "mess of pottage."

Respectfully yours,

ELIZABETH VAN VORST,
Secretary Barnegat Republican Club.

REPORTS OF COMMITTEES

Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs, to which was referred the bill (S. 1948) amending the act entitled "An act authorizing the Court of Claims to hear, determine, and render judgment in the civilization-fund claim of the Osage Nation of Indians against the United States", approved February 6, 1921 (41 Stat. 1097), reported it with an amendment and submitted a report (No. 1163) thereon.

Mr. SCHALL, from the Committee on Indian Affairs, to which was referred the bill (H.R. 4579) for the relief of Dr. Charles T. Granger, reported it without amendment and submitted a report (No. 1181) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the bill (H.R. 5864) to authorize the payment of expenses of delegates of the Yakima Confederated Tribes of Indians while on a mission to represent such tribes before Congress and the executive departments at the seat of government, and for other purposes, reported it without amendment and submitted a report (No. 1180) thereon.

Mr. GIBSON, from the Committee on Claims, to which was referred the bill (S. 3581) to authorize the Comptroller General of the United States to settle and adjust the claim of the Hegeman-Harris Co., reported it with an amendment and submitted a report (No. 1177) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (S. 3656) for the relief of Robert N. Stockton, reported it with amendments and submitted a report (No. 1164) thereon.

He also, from the Committee on Commerce, to which was referred the bill (S. 3676) to provide for a census of unemployment, employment, and occupations to be taken as of November 12, 1934, and for other purposes, reported it without amendment and submitted a report (No. 1165) thereon.

Mr. DILL, from the Committee on Interstate Commerce, to which was referred the bill (S. 3650) to amend the Emergency Railroad Transportation Act, 1933, approved June 16, 1933, reported it without amendment and submitted a report (No. 1166) thereon.

Mr. SMITH, from the Committee on Interstate Commerce, to which was referred the bill (S. 3294) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Hampton & Branchville R.R. Co., reported it without amendment and submitted a report (No. 1174) thereon.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3446. An act to authorize the Postmaster General to receive, operate, and to maintain for official purposes motor

vehicles seized for violations of the customs laws (Rept. No. 1167);

H.R. 4224. An act to authorize the Postmaster General to hire vehicles from postal employees (Rept. No. 1168);

H.R. 5344. An act granting a franking privilege to Grace G. Coolidge (Rept. No. 1169);

H.R. 7348. An act to amend section 3937 of the Revised Statutes (Rept. No. 1170); and

H.R. 7670. An act relating to conveyance of letters by private hands without compensation, or by special messenger employed for the particular occasion only (Rept. No. 1171).

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (H.R. 8781) to increase employment by authorizing an appropriation to provide for emergency construction of public highways and related projects, and for other purposes, reported it with amendments and submitted a report (No. 1179) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (S. 3644) to provide for the assignment of a military instructor for the high-school cadets of Washington, D.C., reported it with an amendment and submitted a report (No. 1172) thereon.

Mr. THOMAS of Utah, from the Committee on Military Affairs, to which was referred the bill (S. 2599) for the relief of Francis A. Parry, reported it with amendments and submitted a report (No. 1176) thereon.

Mr. LOGAN, from the Committee on Military Affairs, to which was referred the joint resolution (H.J.Res. 341) authorizing an appropriation for the participation of the United States in the International Celebration at Fort Niagara, N.Y., reported it without amendment and submitted a report (No. 1178) thereon.

Mr. FRAZIER, from the Committee on Mines and Mining, to which was referred the bill (S. 3182) to provide for the purchase of the surplus copper, heretofore mined and processed in the United States, reported it with amendments and submitted a report (No. 1173) thereon.

Mr. WALSH, from the Committee on Naval Affairs, to which was referred the bill (H.R. 6803) to regulate the distribution, promotion, retirement, and discharge of commissioned officers of the Marine Corps, and for other purposes, reported it without amendment and submitted a report (No. 1175) thereon.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHEPPARD:

A bill (S. 3678) for the relief of Miles Thomas Barrett; to the Committee on Military Affairs.

By Mr. STEPHENS:

A bill (S. 3679) to place officers and men of the Coast Guard on the same basis as officers and men of the Navy with respect to Medals of Honor, Distinguished Service Medals, and Navy Crosses; to the Committee on Commerce.

By Mr. COPELAND:

A bill (S. 3680) to provide for the taxation of manufacturers, importers, and dealers in small firearms and machine guns, to tax the sale or other disposal of such weapons, and to restrict importation and regulate interstate transportation thereof; to the Committee on Commerce.

By Mr. McKELLAR:

A bill (S. 3681) to create an establishment to be known as the "National Archives", and for other purposes; to the Committee on the Library.

A bill (S. 3682) authorizing the appointment and retirement of William H. Kyle as a major, United States Army; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 3683) to amend the act of June 19, 1930 (46 Stat. 788), entitled "An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes; to the Committee on Indian Affairs.

By Mr. WAGNER:

A bill (S. 3684) to provide for the establishment of a national monument on the site of Fort Stanwix, in the State of New York; to the Committee on Public Lands and Surveys.

By Mr. DICKINSON:

A bill (S. 3685) granting a pension to Celia K. Crow; to the Committee on Pensions.

By Mr. McKELLAR:

A bill (S. 3686) repealing the act of February 28, 1927, governing inland waterways; to the Committee on Commerce.

RECIPROCAL-TARIFF AGREEMENTS—AMENDMENTS

Mr. JOHNSON and Mr. OVERTON each submitted an amendment intended to be proposed by them, respectively, to the bill (H.R. 8637) to amend the Tariff Act of 1930, which were ordered to lie on the table and to be printed.

ADJUSTMENT OF TIMBER CONTRACTS IN NATIONAL FORESTS—AMENDMENT

Mr. POPE submitted an amendment to be proposed by him to the bill (S. 2856) authorizing the adjustment of existing contracts for the sale of timber on the national forests, and for other purposes, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

CENSORSHIP OF THE PRESS

Mr. SCHALL. Mr. President, I wish to submit a resolution, and in connection with it I ask the clerk to read a short statement and also to read the resolution.

The PRESIDING OFFICER. Without objection, the clerk will read, as requested.

The legislative clerk read as follows:

Mr. SCHALL. Mr. President, at least five attempts have been made within the past year to force censorship on the press of the United States. A free press is the foundation of liberty, and without it we become an absolute monarchy.

As a Senator of the United States I do not propose to sit here and permit, if I can in any way avoid it, such a thing being done. Gagging the press cannot in any fashion be construed as a recovery measure. If the new deal stands for censorship, then it is not new in the slightest. It is the same old game used by persons who would be king. It does not belong in the United States, and it must not be tolerated.

The President has attempted to explain away the attempts of his subordinates to muzzle the press, but to me and to many others here his protests mean nothing. His appointees would not dare, nor his legislative leaders presume, to enact such measures unless they believed there was an acquiescence on his part.

In my determination to do everything I can to prevent such action, I am submitting a resolution providing for the appointment of a committee whose duty it will be to make sure that no persons high or low in the bureaucracy ruling Washington shall be permitted to stamp out the people's rights.

The legislative clerk read the resolution submitted by Mr. SCHALL (S.Res. 243), as follows:

Whereas it is stated in the public press that various attempts have been made to prevent the press and the public from securing full knowledge of all public records and acts of the heads of various Government bureaus; and

Whereas such acts constitute censorship of the press which is in violation of the Constitution of the United States; and

Whereas it is in the public interest to prevent any further encroachment on the rights of the press and the public: Therefore, be it

Resolved, That the Senate proceed to investigate these conditions and appoint a committee of five Senators who shall hold public hearings, call upon Government departments for information, and, when necessary, subpoena witnesses to the following end:

1. To investigate if any department at the present time has ordered censorship of any or all records which are rightfully public property.

2. To determine if any merchant advertiser has been threatened with Government prosecution because of any advertisement in any publication opposed to this method of censorship.

3. To lay before the American people any and all acts which might result in a censorship of the press of the United States in violation of the Constitution.

4. To ascertain if the telegraph code of the National Industrial Recovery Act may be used to censor press dispatches or to cause financial loss to newspapers by forcing them to pay higher toll rates.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-third Congress and subsequent Congresses until a final report shall be made, to

employ such legal and clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses, and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed \$20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. LEWIS. Mr. President, the resolution tendered by the able Senator from Minnesota [Mr. SCHALL] recounts as existing facts matters which may be wholly misleading, the able Senator from Minnesota naturally being rightfully led by what he hears. The alleged facts upon which the resolution is based should be first ascertained, and I must move that the resolution be referred to such committee as, under the rules of the Senate, may be appropriate.

Mr. SCHALL. Mr. President, I understand the Senator requests that the resolution be referred to the appropriate committee?

The VICE PRESIDENT. That is the request of the Senator from Illinois, and the resolution will be referred to the Committee on the Judiciary.

SIXTH PAN AMERICAN CONFERENCE—ADDRESSES BY MISS DORIS STEVENS AND DR. JAMES BROWN SCOTT

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent to have published in the RECORD an address delivered by Miss Doris Stevens before the special plenary session of the Sixth Pan American Conference in Habana, Cuba, February 7, 1934.

The address is timely now because of the fact that the Senate yesterday ratified the Equal Nationality Treaty, and also because the President of the United States yesterday signed the law dealing with this subject.

It is timely, essential, and almost poetic that the treaty and the law were acted upon the same day. These actions mark a great victory in the history of the development of women's rights.

And for the same reasons I ask, further, that the address of Dr. James Brown Scott, delivered before the biennial convention of the National Woman's Party in Wilmington, Del., on November 4, 1933, be also inserted in the RECORD.

ADDRESS OF MISS DORIS STEVENS MADE BEFORE A SPECIAL PLENARY SESSION OF THE SIXTH PAN AMERICAN CONFERENCE FEBRUARY 7, 1934, HABANA, CUBA

Honorable delegates, we are met together on a great historic occasion. This is the first time in the history of the world that women are come before an international body to plead for treaty action on their rights.

We are met in this beautiful hall already consecrated to new ideals of Pan Americanism. I ask you to look well at the moving tapestries which hang on these walls. Twenty-one medallions represent the 21 republics assembled here today. What is the artist's conception of each republic? It is a very simple concept. The splendid figures of two human beings, man and woman. The artist is right. That, in the last analysis, is all there is to a state: man and woman.

Behind us is another moving concept of the artist. Where a crown once symbolized autocratic authority, you now have substituted a golden Western Hemisphere ablaze with light. The torch of freedom lights the golden replica of this hemisphere.

We could not, if we had searched far and wide, have found more beautiful and appropriate symbols to the subject matter on which we address you today. These are the symbols of a new world, of a new hemisphere—with new ideals as to that most important of all human relationships—the relationship between man and woman. Humanly stated, our thesis today is Man and Woman, the Ultimate Power in the World.

You have it in your power to make these symbols come alive. You can, here and now, if you will, take decisive action toward making men and women equal before the law in this hemisphere. We are in the hands of a friendly body. You have already declared unanimously your belief that men and women should be equal before the law. Today we propose a method of obtaining that equality.

Great laws are born of deep convictions. They are not made by technicians.

It is our deep convictions that we bring you today. But that is not all we bring you. We stand ready to work with you, as eminent jurists, through your appointed commission, to hasten the procedure of our proposal. For we do not come before you unprepared. We have studied carefully the merits of our proposal. And since with rare exception men cannot feel as we do, the sting of belonging to a group which is classed as inferior, we ask to be allowed authoritative power—not as auxiliaries but as colleagues—to consult between this conference and the next

with the subcommission assigned to study the abolition of the present discriminations against women or until that legal subjection of women is abolished in the Americas. We shall not fold our standards until this subjection is removed. You might better act wisely and justly immediately on what you will only have eventually to do.

Since the beginning of time men, with the best of intentions, no doubt, have been writing laws for our good. Since the beginning of time brave and valiant women have been abolishing these same laws written for our good.

There is no limit to what man wishes to do for our good. Last week press dispatches from the United States carried the news that a husband and father had killed his wife, the mother of his children, and the children. When questioned as to his motives, he replied that he did it for their good!

The Associated Press dispatch reported from a seaport in Algeria last week also another example of man's desire to protect woman for her good. For the Mohammedan women's good, custom does not permit them to bathe at the same time as men. Five women were drowned when the bathhouse collapsed, while men were getting up their courage to break the man-made custom and enter the building reserved that day for women bathers.

This, in the realm of custom, is the logical if absurd outcome of the iniquity of one code of conduct for women and another for men.

Is it any wonder that enlightened women are in revolt today against acts done for their good? We want no more laws written for our good and without our consent. We must have the right to direct our own destiny jointly with you.

For, you see, no man, no group of men, no government, no nation, no group of nations ever had the right to withhold from us the rights we ask today. We ask to have restored rights which have been usurped. These are our human rights.

From the year 1846, when the code of Estevan de Ferrater of Barcelona was proposed, to the year 1928, eminent men from all corners of the earth have drafted and proposed codes of international law embracing, among many subjects, articles relating to the status of women. They have, however, been preeminently codes for men. A study of these codes shows at first a few articles concerning the status of women appearing. Each proposed article on the status of women reflects the then existing backward social position she held. More and more points on the status of women, it is true, have been included in these codes through the intervening years, although no code has been proposed giving women equality with men. Are we to permit to grow this vast network of one code for men with special articles inserted for women? If there were no free choice, it is conceivable that in 200 years we might see our bookshelves staggering under the weight of a double stock of law books, heavy with special codes for women and special codes for men. It is even conceivable that in 200 years a point would be reached where the codes for men and the codes for women might become identical. But we are not condemned to take any risk. We can exercise free choice. We can stop this method of codification and begin to write now international law for all human beings irrespective of sex.

Another danger which attends waiting upon evolution lies in the fact that there is no marked tendency to take the most advanced law regarding women on each point. Though eminent jurists advocate and propose what they call "progressive codification", it is not found to be so for women. The most distinguished jurists agree that codification should be a rehabilitation of law, and even a creation of new laws when public opinion demands it.

Furthermore, when public opinion demands it, newer and speedier methods are taken to reach a goal.

We have chosen the road we propose to travel. That right at least cannot be denied us today.

It is fitting that the American Continent should be the first union of republics to be asked for an equal rights treaty. The demand for women's rights was born on this continent. Abigail Adams was, so far as we know, the first woman in modern history to write to her husband, John Adams, when the United States' Constitution was being formed after our War of Independence: "While you are writing this new Constitution, I pray you, do not forget the ladies. If you do, we shall foment a hot rebellion." Again, it was in 1848 in the United States of America that our great pioneers called a congress and wrote a stirring declaration of our rights. This agitation continued until our Civil War in 1861. Again, the women demanded their rights at the same time that they demanded freedom for the black slaves. The slaves were freed. The women were not. It was not until 1920 that the political rights of women were written into our Constitution.

It is not in our traditions to be content with what we have gained. It is not in our traditions to be laggards of liberty. The impulse to gather together our power and push on more rapidly is strong in us.

We have chosen the treaty method because it is the most dignified. It is the easiest. It is the most permanent. It will not only abolish existing national and international inequalities; it will prevent new ones from being written. And lastly it obviates a cruel waste of energy. For we ought never be compelled to appeal for our rights to the most backward opinion in any State. Our appeal to the most select, the most cultivated, the most imaginative men in the world, should be welcomed, approved, and answered in this most dignified method.

Some will tell us that rights of women lie exclusively in the domain of domestic law. This is purely a matter of opinion.

The extension of what was formerly considered purely domestic law into the domain of international law has been the most distinctive feature of legal history in the last quarter of a century. There is every reason to believe that international action will expand to embrace more and more all the acts of humankind. Global action may come in the future. Our proposal lies in the current of our time. You may delay it. You cannot stop it. We want to accelerate it.

Timid souls may say this has never been done. That answer does not move us. All compelling history of the world has been made by those who dared to establish great precedents, who adventured in unknown paths, who led the way. The men who follow are never remembered—it is those who lead, who direct the current of civilization.

There will be those who say: "Woman's rights are not a fit subject for treaty action." To this we answer: "Discriminations against women have already been made the subject of action by convention by certain of the Americas and amongst European nations through the League of Nations. If discriminations against us as women on the sole ground of sex can be made the subject of international conventions, so can our rights."

Let us examine the treaty-making power of my own country. The treaty-making power of the United States is granted in the Constitution without any express limitation as to the subject matter of the treaty. Limitations on the subject matter are only implied. They are undefined and not judicially determined. Since no treaty has ever been held unconstitutional by any court in the United States—Federal or State—it cannot be given as more than a matter of opinion (not law) that the subject matter of our treaty would be so held. Everything written on the point of what is and what is not fit subject for treaty action—and there has been a mass of opinion—is purely academic. It is obiter dicta. The best thought is that restraints on the treaty-making power ought to exist only in the concrete—not in the abstract.

Charles Henry Butler goes so far as to say that "it is still an undecided question whether the judicial department of the court has the power either to declare void a treaty made and ratified according to constitutional method, or to declare that the executive and legislative departments of the Government exceeded the power vested in them by the people." (See Charles Henry Butler, *The Treaty-Making Power of the United States*, vol. II, pp. 351-363. Also Woolsey, *International Law*, item 103, p. 160, 6 ed.; also *Ware v. Hylton*, U.S. Sup. Court 1796, 3 Dall. 199.)

Regarding the supremacy of a treaty over a conflicting State law, eminent jurists disagree. Time permitting, we could cite you opinions on each side of this controversy with the balance of modern opinion, perhaps, on the side of the supremacy of the National Government. "The very words of our Constitution imply that some treaties will be made in contravention of the laws of the State, whether the legislative authority under which they are passed is concurrent with that of Congress or exclusive of that of Congress", says that eminent jurist Elihu Root. (Address made by Elihu Root at first annual meeting of the American Society of International Law * * * American Journal of International Law, vol. I, pp. 278-283, April 1907.)

Finally, your distinguished member, His Excellency Orestes Ferrara, said in his report on Treaties to the Commission on Public International Law last week—in reference to the code of public international law drawn up by the conference of jurists at Rio de Janeiro, April 1927:

"In not a single clause has limitation as to the content of treaties been defined. * * * The will of contracting parties (to a treaty) has been left in complete and absolute liberty."

We therefore offer you a treaty which we believe the United States Government and other governments of Pan America are fully empowered to enter into. Legal interpretations may offer barriers. The United States Constitution states none.

Men may differ as to their willingness to accept the rights of women as proper subject matter for treaty action. To persuade them to our point of view is the task we have undertaken.

We can only touch upon these points here.

We shall hope to discuss them exhaustively with the commission appointed to study equal rights for women.

Our proposed method of establishing equal rights is not as revolutionary as you might think—revolutionary in thought, perhaps, but not in international procedure.

At the first conference of the International Labor Office of the League of Nations (Washington, 1919) 3 out of 7 conventions were written for women workers on the ground of sex. The second conference (Genoa, 1920) wrote conventions applying to both sexes (adults and children). At the third conference (Geneva, 1921) more conventions were written for both sexes among adults and children. In 1927 (Geneva) the same office wrote conventions on sickness insurance for workers of both sexes.

These are but a few of many examples which prove two things. Jurists have written conventions making men and women equal before international law. There is no fixed policy, except as there is the general evasion of accepting the idea of laws for human beings. Some of the conventions are for women and children of one sex. Some are for women and children of both sexes. Some are for men and women. The result is not only an appalling hodge-podge; it is manifestly stupid and unfair to both adults and children.

How much simpler it would be to take our clear and decisive method! The result would be one body of conventions for adult men and women, and another for children of both sexes. There could then be a housecleaning of all the useless conventions based on the arbitrary factor of sex.

Conventions have been proposed and ratified regulating the hours of work of women, regulating the time of day when women shall work—as was done by the Convention of the International Conference at Berne in 1906; as was done by the Convention for the Unification of Protective Laws for Workmen and Laborers, signed February 7, 1923, by Guatemala, El Salvador, Honduras, Nicaragua, Costa Rica. For example, Article I of this convention signed by the five Central American countries stipulates the time of day wherein women shall be permitted to work. Will you tell us this can be done and, at the same time, tell us that a treaty shall not be negotiated enabling adult women to choose their own times of work and their own occupations, which our treaty would enable them to do?

Again, will you tell us that the League of Nations (1921 Convention for Prevention of Traffic in Women and Children) can propose a convention for the suppression of the traffic in women, which convention is to date signed by more than 35 countries in the world, and in the same breath tell us that a treaty cannot be negotiated for other women? Must we become sex slaves before we can be judged fit subjects for action by convention? International action was not taken on this shameful traffic primarily because women are sold and transported from one country to another. You know as well as we do that that international convention was written because the moral conscience of the world demanded it.

May I say, in passing, that it is our firm belief that if women were not held in contempt before the law, were not held socially inferior and cheap in the eyes of society, this traffic would never exist. Unconventionality, yes, but not traffic in women. It is our firm belief that so swiftly as you make us your equals, so swiftly will your international conventions written on this subject fall into disuse because they will not be necessary.

We find, then, that international conventions are in operation affecting the following groups of women:

1. Women who work by day.
2. Women who work by night.
3. Women who are trafficked in.
4. Women before and after childbirth.
5. Women who are ill.
- And proposed for—
6. Women who marry aliens.

Is it not folly to continue on this piecemeal path? Leave aside for a moment the justice of our claim. Leave aside all legal procedure, which is not always synonymous with common sense. Does not plain, homely common sense compel you to embrace by treaty action now the rights of all women and scrap all this idiotic segregation of women in conventions? Does not wisdom call to you to save yourselves and ourselves from further bulky, cumbersome, unjust international action? We hope so.

Some of the delegates have advised us not to propose an equal rights treaty at this time. "This treaty will call up legal and juridical difficulties, and you will be defeated." Our answer to this is, gentlemen, that if you find our proposal difficult, that is your misfortune. If statesmen avoid all questions because they are difficult, nothing vital will ever be accomplished. The first requisite is to agree on the broad, general principle of equality between men and women set forth in the proposed treaty; and if your heart is in that agreement, your intelligence will settle the technical difficulties. On the point of defeat, this must be said: A defeat of the treaty will be your defeat, not ours.

There is another point we should like to call to your attention. Since working with this conference, we have heard the opinion expressed—I regret to say, by one of our compatriots—that equal rights may be all right for the women of North America but that the women of Latin America are not yet ready for them. We women resent and disbelieve in any hint of sectional superiority. It may be that there is a hope implied that, although we women of North America may be out of hand, the women of Latin America may still be kept under legal subjection. We do not believe that the men of North America are called upon to be the tender protectors of the women of Latin America.

We do not look with approval upon this attempt to divide women. Our subjection is world-wide. The abolition of our subjection will be accomplished by world-wide solidarity of women. Furthermore, we have not noticed that the men of the northern and the southern Americas are reluctant to unite in Pan Americanism because there may exist different customs, differing attitudes of mind toward your mutual problems. The unwarranted presumption is again: One code of conduct for women, another for men.

We bear witness today before you to the growing solidarity among the women of the Americas.

This conference will long be remembered by what it does here for the women of the Americas. Nothing you gentlemen will do during this conference will be of such far-reaching importance as the action you will take toward the liberty of women. Nothing will so distinguish you for all time as to abandon at once all separate codes of law for men and women and to substitute in their place the great principle making women equal with men before the law.

We want to be your peers, your comrades, your helpmates, your partners in the great adventure of life. These we shall be in a properly civilized society. You can hasten that day.

So long as inequality before the law exists between men and women, less is expected of women by men. Less is expected by women of themselves. This in turn affects our whole body of opinion, our whole culture. Less courage, less balance in judgment, a lower standard of public spirit, an indifference in inter-

national cooperation. This is the reward of inequality. This is a menace to men as well as to women. To expect less is to receive less. We stand ready to give all our abilities to society, not our limited, restricted abilities. Do you want less?

Will you welcome the opportunity, or will you hesitate? Will you condemn us further to the ignoble, unworthy, unlovely procedure of begging every laggard in our hemisphere to concur before action is taken, or will you men whom we choose to call our intellectual equals release us by your acts?

We ask for immediate recommendation by the conference of the proposed equal-rights treaty, a tentative draft of which we now present to you. This treaty—"the contracting States agree that upon the ratification of this treaty men and women shall have equal rights throughout the territory subject to their respective jurisdictions"—was drawn up by Alice Paul, of the United States, beloved feminist leader and distinguished scholar of international law.

We have told you what we want. The rest is up to you. Who will be the first country to dare to trust its women with that degree of equality which will come through the negotiation of the treaty? Which country among you will claim this honor?

Pan Americanism will move a swifter, lovelier, more rhythmic pace, if men and women run together.

EQUALITY TRIUMPHS—ADDRESS DELIVERED BEFORE THE BIENNIAL CONVENTION OF THE NATIONAL WOMAN'S PARTY IN WILMINGTON, DEL., ON NOVEMBER 4, 1933, BY JAMES BROWN SCOTT, PRESIDENT OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW AND OF THE AMERICAN INSTITUTE OF INTERNATIONAL LAW

The race is not to them that's got

The longest legs to run,

Nor the battel to that peopel

That shoots the biggest gun.

These were the lines—a profane version of the Scripture which found favor with the indomitable Texas brigade—that rang out under the Stars and Bars in the darkness of a fatal April night, when for the last time the Army of Northern Virginia was to tempt its fortune.

In the "battel" waged by the National Woman's Party there is no last time. It is lining up for Montevideo, where, in the seventh of the conferences of the American States, the Inter American Commission of Women will give battle with the representatives of the 21 American Republics in conference assembled.

Now, what is this Inter American Commission? How did it come into being? What is its purpose and how is it being accomplished?

The Inter American Commission, as I am sure you know, consists of a representative woman appointed by the governments of each of the American Republics for the purpose of studying and reporting to the seventh of the Pan American Conferences on the political and civil rights of women in the Americas. It is an official body, representing each of the 21 American republics. The representative of the United States is Miss Stevens, and she is also its chairman. The commission is, I repeat, an official body, and as such installed, and properly so, in the Palace of the Americas in Washington.

It is a creation of the National Woman's Party—that is to say, the National Woman's Party caused its creation by their presence in force at the sixth of the Conferences of the American States, held in Habana in the early months of the fateful year 1928.

On that occasion a special and plenary session of the conference was held, in order that the delegates to the conference might learn from the women themselves their views as to civil and political rights which the delegates of the American States, more fortunate than the women, possessed as of right.

On that occasion Miss Stevens stated the women's case in what appear to me—if I may speak in my proper person—to be unanswerable terms. They were assuredly persuasive terms, because 11 days later—to be exact, on the 18th day of February—the conference in plenary session resolved that an Inter American Commission should be constituted and that such commission should be composed of a representative from every republic of America, the purpose of the commission so constituted being "to enable the Seventh International Conference of American States to take up the consideration of the civil and political equality of women in the continent."

Exactly 10 years ago the question was first bruited in the Fifth Conference of the American States meeting in Santiago de Chile, and 't was then recommended to the governing board of the Pan American Union that it should include in the program of future conferences the study of "the means of abolishing the constitutional and legal incapacities of women, to the end that the women should secure the same civil and political rights enjoyed by men."

The Fifth Pan American Conference further recommended that a memoir on the position of women, as determined by the laws and constitutions of each of the American republics, should be prepared "in order that the same may be communicated to the governments and to the governing board of the Pan American Union, to serve as a basis for investigation."

A further recommendation was made that women "be included on the delegations" in order that they might participate in the work of further conferences.

For the moment, however, the recommendations fell on deaf ears; and had it not been for the insistence of the National Woman's Party, we question whether the topic would have made its appearance, even informally, at the Habana Conference. But I am happy to be able to say that the studies which the men had neglected have been made by the Inter-American Commission of

Women and will be contained in the report to be made by its chairman to the approaching conference.

The question, therefore, is no longer a mere abstraction; it is concrete in the highest sense of the word. The task of the women has been splendidly performed. Every code and every law of every Latin-American republic has been examined, analyzed, and digested and will be laid by Miss Stevens before the conference at Montevideo. What the men have failed to do, the women have done!

To those who would have us believe that we are not making progress toward equality of right in human relationships, it is only necessary to state the past and compare it with the present—to compare the situation a century or more ago with the situation today and to appreciate the state of mind which is bound, if the lessons of history mean anything, to bring about a different and better future.

Nobody would deny the intelligence of Bonaparte, although many there be who lament the use that he made of it. We happen to have his ideas on the woman question. In a conversation at St. Helena, where he was freer than ever he had been to form at leisure his opinions on a variety of topics, he proceeded, having failed with the men, to put woman in her proper place. She was an inferior being, exclusively made for the pleasure of man, and the pleasure in the Corsican's view was material, and, may I add, unspeakable in any gathering of cultured people. Human in form, the woman was to him an animal in fact. Fortunately the Corsican and all his ways are but a memory.

In the Americas, too, there are unhappy memories. In the time of some persons still living, African slavery existed in the United States, and it only ceased to exist in Brazil when I was a student in a New England college.

What is the situation today? In many countries women possess the right of suffrage. By virtue of the nineteenth amendment to the Constitution of the United States, for which, I am happy to say, the Woman's Party was finally responsible, women today have the right of suffrage throughout the American commonwealth. And a few years hence people will look back and wonder how it could ever have been otherwise; for suffrage, is it not, as Archimedes might say, a lever long enough to move the world?

Scientific societies and associations, as well as enlightened governments, are interested in the equality of men and women. The most influential of scientific bodies in the domain of international law is the Institute of International Law, founded in 1873 at Ghent, by a small group of forward-looking men of different nationalities. Since then it has increased in number and at its meetings, held every year or two, there are internationalists of as many as 20 to 30 countries present. It is, therefore, not only international in name but international in fact. It is a private organization having the respect of governments, but no official connection with them. Its resolutions, by the care with which they are drafted, nevertheless, embody the views of governments expressed through their nationals and accepted by the world at large to such an extent that international conferences dealing with phases of international law find sure and safe guides in the resolutions of this private organization; and, because of reliance upon these resolutions, the conferences influenced by them are successful.

In 1929 the Institute of International Law held its first meeting in the United States in Briarcliff Manor, overlooking the Hudson, and in a setting rich with historic incident and literary memories. Whether influenced by the Statue of Liberty as they entered the harbor or affected by the drowsy atmosphere of Sleepy Hollow, the members adopted a declaration of the international rights of man ("man" being used in the sense of human beings), a declaration which is abreast of the present and divines the future. I cannot do better than lift a few of its phrases here and there. By the first article the state is obliged to recognize in each and every individual an equal right to life, to liberty, and to property and the equal protection of that right, without distinction of nationality or sex or religion. The fourth article assures to us, without distinction of sex or race or language or religion, the enjoyment of private and public rights, specifying particularly admission to educational institutions and the exercise of the various economic professions and industries.

A few years later the same institute, at its session in the summer of 1932 at Oslo, the capital of Norway, recognized the right of the woman upon marriage to preserve her own nationality, and to be unaffected by the subsequent change of nationality on the part of her husband. This was an unexpected and a precious confirmation of the program for which the National Woman's Party stands.

Now, imitation is, we all know, the sincerest flattery. A few years ago the American Institute of International Law, a continental instead of a world institute, composed of 5 publicists from each of the 21 American Republics (we hope that Canadian publicists will find their way to us shortly), through the governing board, on two occasions expressed itself unanimously in favor of two important, indeed, epoch-making, projects relating to equal nationality and equality in all political and civil relationships. The first of these is of but three lines:

"The contracting parties agree that from the going into effect of this treaty there shall be no distinction based on sex in their law and practice relating to nationality."

The second is also of but three lines:

"The contracting states agree that upon the ratification of this treaty men and women shall have equal rights throughout the territory subject to their respective jurisdictions."

Now, these two projects are none other than the projects of the National Woman's Party, and they were adopted as such; the first drafted by Miss Stevens, the second by Miss Paul.

In addition, a committee of the American Institute has been appointed by its governing board to cooperate with the Inter-American Commission.

These proclamations adopted by the two institutes of international law are as fundamental for equality as equality is for democracy. We do not need to argue the matter. President Lincoln has done it for us, as it were, in advance, and in a very classic form: "As I would not be a slave, so I would not be a master. This expresses", he continued, "my idea of democracy. Whatever differs from this, to the extent of the difference, is no democracy."

In the address which Miss Stevens delivered at Habana at the plenary session of the Sixth International Conference of American States in 1928 she presented the draft of a treaty on the equal rights of men and women, which in the same terms will be presented by her at Montevideo, and the draft, as I have already remarked, has been approved unanimously on two separate occasions by the American Institute of International Law. She will also present the draft on equal nationality, likewise adopted on two occasions by the American Institute; and both of these documents, I need hardly remind you, were adopted by the Inter-American Commission of Women.

Therefore we have these two epoch-making projects approved by a private organization composed of representative American publicists and by an official commission composed of representative women of the Americas. Their adoption by the conference at Montevideo would, I veritably believe, dedicate the republics of the vast American Continent to equality, as they are already dedicated to liberty.

There can be no doubt that a treaty embodying one or other or both of the projects would introduce equality in nationality as well as in civil and political rights; for the contracting parties bind themselves by the treaty to pass whatever legislation may be needed to carry into effect its provisions. This I have not hitherto mentioned, as it seems to be self-evident; otherwise—why a treaty?

It is stated, however, from time to time that a treaty is unconstitutional if it be in conflict with the terms of our Constitution. This, of course, depends upon the relation of international law to national law. If municipal law, to use a more familiar expression—and what is a constitution but municipal law?—be in conflict with the treaty, the national or municipal law must yield to the law international, in that the law of the international community is, and must be, superior to the laws of its component parts, meaning the civilized States of the world, on the theory, in simplest mathematical terms, that the whole is greater than any of its parts.

I would not have you believe, however, that I have based these statements on mere theories, even if they be mathematical theorems.

We have had instances from time to time in which the Government of the United States has maintained that the remedy for injury to foreigners is to be had in State courts, as the Federal Government is without jurisdiction in such internal matters. This is an answer, but an unacceptable answer, to the foreign nations insisting upon the rule of international law that its citizens or subjects in a foreign country must be protected in their rights to life, liberty, and property; and to the answer that our Constitution does not permit the Federal Government to intervene, the foreign country invariably replies, and rightly, that if our form of government does not permit compliance with the rule of international law, we must change our government to bring it in harmony with the law of nations. In the end our Government generally saves its face, so to speak, by according reparation "as an act of grace." Is not the act of grace, however, a recognition of a duty and, therefore, an implied recognition of the international obligation?

There are two answers to this American constitutional doctrine. One is—speaking of the United States—that of the Constitution itself: That "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land." It may be, however, and it has been, objected that certain treaties infringe upon what are called the reserved rights of the States of our own Republic. A second and final answer, therefore, is that while treaties of the United States with foreign powers often affect the so-called "reserved rights" of the States, nevertheless such treaties are held constitutional by the Supreme Court of the United States, the most notable instance being the recent case of *Missouri v. Holland*, decided in 1920 (252 U.S. 416), on the question of rights over migratory birds—rights which, without the provision of the treaty, would have been considered as reserved to the States.

But what, it may be asked, have migratory birds to do with the civil and political rights of women? As in the case of birds of passage, these laws affecting women are made by the many States. An act of Congress alone could neither abrogate nor change these laws. But what an act of Congress cannot do without a treaty it may do by a treaty, which is the supreme law of the land to the President, to the Congress, and to the Supreme Court of the United States. And it may safely be asserted that in every country which makes a pretense to civilization, a rule of international law, whether in the form of a custom or in the form of a treaty, takes precedence of the national law; otherwise there would be anarchy instead of law between nations.

We should confess our faith in equality of right, not only in nationality and in political and civil rights but in all human relationships.

What a debt we who believe in the "battel" for equal rights owe to these migratory birds!

Within a month to a day a handful of women of the Americas will join battle far, far to the south at Montevideo under the light of the Southern Cross!

God bless the American women!

As I began, so would I end:

The race is not to them that's got
The longest legs to run,
Nor the battel to that peopel
That shoots the biggest gun.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. PATTERSON. Mr. President, the tariff question has been a political issue in this country ever since its foundation. In many campaigns it has been the outstanding or paramount issue. Every major political party that ever adopted platforms regularly included a plank on the tariff. Every American statesman and outstanding political leader has presented to the American public his views on the tariff. But neither American statesman, American political leader, nor American political party ever openly advocated a tariff policy such as is embodied in the pending measure. This is especially true of the Democratic platform, the Democratic Presidential candidate, and the Democratic leaders during the campaign of 1932.

Should the President make full use of the powers delegated to him by this bill, it would result in heavy injury to some and complete destruction to other American industries. I believe this would be especially true of the shoe industry. As my State is one of the great shoe-manufacturing centers of the United States, I desire to use this industry as an illustration, and to point out the danger to that industry under the program of the administration. What I shall say of the shoe industry will apply with greater or less degree to any other industry now having and needing tariff protection.

The Constitution of the United States provides that the President "shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." It is now proposed to delegate to the President full power to negotiate certain tariff treaties without the Senate being advised of the actual provisions of such treaties, and without the submission by the President of such treaties to the Senate for ratification by a two-thirds vote, as provided by the Constitution.

It is difficult to believe that any such proposal would be seriously considered by anyone having due regard for our constitutional form of government; yet this measure has already passed the House of Representatives, and under the lash of the President will undoubtedly pass the Senate. It may be of interest to the citizens of my State to know that of the 13 Democratic Members of the House of Representatives from Missouri, 12 voted for this measure, the other Member—Mr. SHANNON, of Kansas City—being absent.

So far as I am able to learn, no such bill was ever previously proposed or considered by an American Congress. The platform on which this administration was elected advocated a policy directly opposite to that of the pending bill. Let me quote from the Democratic platform of 1932, which President Roosevelt, while a candidate, repeatedly declared he endorsed 100 percent:

We advocate a competitive tariff for revenue with a fact-finding commission free from Executive interference.

This plank condemns the measure now before the Senate. This administration has no mandate from the American people to enact any such measure. In the face of its pledge to frame a tariff law "free from Executive interference", it would be a gross and shameful violation of its pledge to enact legislation putting such authority arbitrarily in the President's hands.

The proposed measure is not only un-American but viciously so. It is contrary to American policies and destructive of American ideals. If such a measure can stand

the test of our courts, then the Constitution has indeed become a dead letter.

Certain American industries and products need tariff protection, without which they cannot compete with the cheap labor and lands of foreign countries. This is no longer a disputed question. One has but to peruse the debates during the framing of the present tariff law, read the fervent pleas made by Democratic Members of Congress for tariff protection for the products of their own States, and examine their votes on various tariff schedules to become convinced that down deep in their hearts Democrats as well as Republicans favor tariff protection, but with this difference: The Democrats favor tariff protection only for the products of their own States, while the Republicans view the question from a national and patriotic standpoint, and favor tariff protection for every American industry and interest, no matter in what part of the country such industry or interest may be located.

To remove needed tariff protection from any industry would either close such industry or force those employed therein to reduce their wage and living standards to the level of foreign countries. When fairly and honestly put to them, the American people will never support any such proposal; and I deny the right of this administration, in view of the specific campaign pledge previously cited, to impose any such legislation on the country without first submitting it to the American people for their approval or disapproval.

This proposed act would ratify in advance any treaty the President may negotiate under its provisions; it would put into his hands the power of life and death over every industry needing tariff protection; it would subject every such industry to the continued uncertainty of a misguided judgment and a "cracking-down" penalty should such industry incur the displeasure of the administration or fail to do its bidding. It represents the limit of constitutional surrender by Congress.

There is no provision in this bill for review of, or appeal from, the President's decision. His action would be final. As this measure passed the House, there was no provision for a hearing for any industry that might be injured or destroyed by any tariff treaty the President may negotiate. The Senate Finance Committee added what is supposed to be such a provision, but it is meaningless, for any hearings the President may hold under its provisions would be under rules and regulations promulgated solely by him and would not be public. For all practical purposes the provision added by the Senate Finance Committee is useless.

The stated purpose of the bill is the promotion of foreign trade. I have carefully gone over its provisions and read the report accompanying the bill, but nowhere is it made clear just how this increase in our foreign trade is to be brought about or how the provisions of the act will inure to our advantage. As any benefits we are supposed to derive are to be through certain tariff changes, it would seem that the proponents of this measure could easily point out some concrete illustrations as to how the plan would work and some of the specific tariff changes the administration proposes to make. It is only fair to the American people, to those employed in American industry, and to those who have their funds invested therein, for them to be advised of the actual intentions of those now asking for this unusual and dangerous grant of authority.

I understand, of course, that under this proposal we are to reduce certain tariff rates which would permit the importation of foreign goods not now being imported into this country. In return, we are presumed to obtain some concessions from abroad. If a fair and equal exchange results, then neither country will have benefited. The advantage will obviously be with the best bargainer, and in view of past experience in foreign negotiations this country can expect to come out of the small end of the horn.

If through any treaty negotiated under the provisions of this proposed act foreign countries will be able to ship us goods now being made or produced in this country, this will logically throw out of employment those now engaged in

the production of those goods in the United States. This will be fine for the foreigner, but tough on the American, and will hardly improve employment conditions in this country. Let me illustrate how the provisions of this act may affect the shoe industry, one of the great manufacturing industries of the United States.

St. Louis, Mo., and surrounding territory, is one of the large shoe-manufacturing centers of the United States. One concern alone has almost 50 plants in the St. Louis area. Many of these factories are in the smaller cities, oftentimes the only industrial plant there, and therefore vital to the business welfare of the community. Many thousands are employed in the shoe industry in St. Louis and surrounding territory, and the injuring or closing of these factories would be a terrific blow to the community such industry is now benefiting.

The American shoe-manufacturing industry needs tariff protection, without which it cannot exist. This is not merely a partisan statement. I invite attention to the fact that not long ago the present Democratic Chairman of the House Committee on Labor presented a petition to the United States Tariff Commission pleading for an increased tariff on shoes, alleging that the shoe industry in the New England States could not now properly function under the terrific competition of the cheap products of foreign lands. I do not believe this fact will be seriously questioned by any informed person, but I desire to present a striking illustration that came to my attention.

I recently have been shown a pair of gymnasium shoes, with canvas tops and heavy rubber soles, which seem to be unusually well made. They were manufactured in Japan, imported into the United States, duty paid, transported to Washington, and after allowing a profit to the retailer, were sold at the amazingly low price of 25 cents a pair. These shoes were purchased at Kresge's store in Washington, D.C., on March 22, 1933. It is perfectly obvious that the American shoe industry cannot continue to pay the present wage scale, enabling those employed therein to maintain a decent standard of living, if it must compete with products from abroad which can be sold at such a price.

The illustration cited may be an extreme one, and was doubtless partly due to an unusual exchange situation, but no labor in the world is as well paid as the American laborer, and when we let down the tariff bars on any industry needing tariff protection, such industry must either close its doors or those employed therein must reduce their standard of living to the low level of foreign countries. Such a policy is not only unfair—it is un-American. As far as I am concerned, I would not sacrifice one job now held by an American shoe worker or any other American laborer for all the foreign-trade dreams this administration's "brain trust" can indulge in.

Let it not be supposed the power delegated to the President under this act will not be exercised or that American industry will not be sacrificed in order to carry out the wild and unsound program of this administration. Those who seek unusual and dangerous power will not hesitate to take unusual and dangerous steps. Spokesmen for this administration have repeatedly announced that certain American industries which they are pleased to designate as "secondary" or "inefficient" should be sacrificed. Let this administration exercise the power delegated to it by this measure, and our industrial highway will be marked with the ruins of American industry, a sacrifice to a policy this administration did not dare submit to the American people for their approval.

This administration either intends using the power delegated to it by this act, or it does not intend doing so. If it does not so intend, then the passage of the bill is a hypocritical gesture unworthy of any administration. If it does intend exercising the power delegated to it, it means the ruin of certain American industries, sacrificed on the altar of a foreign-trade dream.

Secretary of Agriculture Wallace, outstanding administration spokesman, has repeatedly stated that in order to carry

out the new-deal program and to develop foreign trade, it may not only be necessary to sacrifice certain American industries that Washington bureaucrats may choose to designate as "inefficient" or "secondary", but also take millions of acres of agricultural land out of cultivation and eventually put all agricultural land under the direct control of the Government. In his recent pamphlet, *America Must Choose*, he discusses this prospect at some length. I quote from him as follows:

A truly practical readjustment of our own tariff policy would involve the careful examination of every product produced in the United States or imported and the determination of just which of our monopolistic or inefficient industries we are willing to expose to real foreign competition. This problem should be approached from the point of view of a long-time national plan which we are willing to follow for at least 20 or 30 years, even if some of our friends get hurt and howl continuously to high heaven.

There is a best place and a second and third best place in the world to mine coal and grow cotton, just as there are favored and less-favored cotton and coal regions within the United States.

The same thing holds true of innate or inherited capacities. England makes better cloth than we do, and better hand-made shoes. France, I am told, makes better wine. Unquestionably, however, we raise better apples more cheaply than France. Accordingly, one of our first approaches toward dealing with the world again on a new basis is as simple and sensible as a swap between two pioneer farm neighbors.

The only inference that can be drawn from Secretary Wallace's pamphlet is that certain American industries should be sacrificed and those now employed therein forced to join the ranks of the unemployed. He is, however, generous enough to intimate that when thrown out of their present employment they may be permitted to engage in the apple-growing industry. What an unfortunate thing it has been for the American people that they did not know in 1932 just what this administration intended doing in the event it was elected. The American people would never knowingly elect anyone to public office who proposed to sacrifice any existing American industry or to deprive any American laborer of a single day's toil on the theory that by doing so some foreign trade might be obtained.

The professed object of the measure before us is the promotion of foreign trade. This is to be brought about through a reduction of tariffs. If the proponents of this bill will inform themselves on the subject, they will learn that our foreign trade has always made its greatest gains under protective-tariff laws, with just the opposite true under low-tariff laws.

Mr. FESS. Mr. President, will the Senator yield?

Mr. PATTERSON. I yield.

Mr. FESS. The Senator quoted from *America Must Choose*, by Secretary Wallace. Secretary Wallace, I think, professes to be a type of protectionist; at least that was the view of all his ancestors, so far as I know about them, and I thought it was his view; but I wonder if he realizes that he is taking the position, as read by the Senator, that where some other nation can produce a thing better and cheaper than we can we ought to buy for our needs from that nation and devote our own country's activities to the production of some other things which we can produce cheaper and better, and thus have a reciprocal relationship. I wonder if he realizes that that is the stock argument of all free traders, has always been, and is the one distinguishing feature which differentiates protection from free trade.

Mr. PATTERSON. I think the Senator from Ohio is eminently correct in that statement. I gathered the impression from reading Mr. Wallace's pamphlet, *America Must Choose*, that whether he knew it or not he was a free trader.

Mr. FESS. That is the thought I had in mind. I think he would resent the statement that he is a free trader, and yet he is employing exactly the argument of the free trader. It is fundamental with them that we ought to give up the employment of labor in any inefficient or expensive industry, and buy goods now produced by us under such circumstances from some other country, and that this country should enter upon the production of other commodities which it can produce more cheaply and more efficiently. That is the fundamental principle of free trade which differentiates that theory from the theory of protection.

The danger of the free-trade theory is that under it we will fail to develop industries, as illustrated in the case of tin plate. It was thought for many years that we could not produce tin plate, and that if we had attempted to do so the process would be inefficient and expensive. Had we followed that concept and never inaugurated the production of tin plate, we still would be buying our tin plate from foreign countries as we used to do when we did not produce a pound of it, and yet we now produce not only sufficient for our own needs, but we produce it at a less cost than the price at which we used to buy it from England, and we produce it in sufficient quantities to export it to every other country which needs it. Suppose the Wallace theory or the free-trade theory had been in vogue, how far would we ever have gotten with the development of that industry? And is the same thing not true with regard to sugar and every other industry where we have the facilities for producing for our own needs?

Mr. PATTERSON. I agree with the Senator absolutely. We would not have had a tin-plate industry if it had not been for the tariff being placed upon tin plate. We have built up that industry to be one of the greatest industries in the country. I remember when I was a small boy, when the tariff was first placed upon tin plate, the Democratic National Committee sent emissaries around to the back door calling attention to the fact that the price of tin plate had gone up on account of the McKinley "robber" tariff.

Mr. FESS. Does the Senator recall that that very campaign, conducted as the Senator says, resulted in defeating Major McKinley, who was a Member of the House, and Chairman of the Ways and Means Committee, and author of the law of 1890? He was defeated following the passage of that act by that peddling method of propaganda, by which they said that tin plate had increased in price due to that particular tariff law.

Mr. PATTERSON. Exactly. And it resulted in the election of a Democratic President.

Mr. FESS. What impresses me just now is the statement the Senator from Missouri has quoted from America Must Choose, in which the free-trade theory is adopted bodily by one who, I do not believe, thinks he is a free-trader.

Mr. PATTERSON. He probably does not think so, but he is in fact.

Mr. FESS. Mr. President, will the Senator further yield?

Mr. PATTERSON. I yield.

Mr. FESS. I was thinking of another illustration. When the Senator from Arizona [Mr. ASHURST] was urging a protective tariff on manganese I opposed it, occupying at the time the seat at which I am now standing, on the ground that I would not be in favor of protecting any article when we had no possibility of ever increasing its production. The Senator from Arizona gave figures indicating that by means of new processes we could increase the production of manganese to an appreciable point, sufficient to satisfy our own consumption needs. Of course, if we could do so, then the policy advocated by the Senator from Arizona is sound protective policy. I have not followed it up so as to know whether the new processes referred to by the Senator from Arizona have fulfilled the predictions made by him at that time. His argument, however, is the soundest form of protective argument. If we cannot by protection stimulate production to a point somewhere near our needs, then it is a question whether we ought to protect it or not, but if we can, it is the common-sense thing to protect our industry to the point where we employ our own labor instead of looking to Europe for the product of cheaper labor.

Mr. PATTERSON. I thank the Senator for his contribution. Before yielding to him I made the statement that our foreign trade had always made its greatest gains under protective-tariff laws, with just the opposite true under low-tariff laws.

I refer, of course, to normal times, and not to such unusual periods as the recent war, when as a result of war demands our foreign trade rapidly increased and then more rapidly decreased when the war demands were over; nor do I refer to the past few years when, as an aftermath of

that World War, there has been an industrial collapse over the entire world.

The Democratic Party has always endeavored to convey the impression that under protective tariff laws our foreign trade is practically destroyed, and that by such legislation we virtually declare an embargo on foreign products. Nothing could be further from the truth. Let me present a historical illustration.

During the previous Democratic administration what is known as the "Underwood low tariff law" was in force. Up to the outbreak of the World War, under that law, our foreign trade was gradually falling off, but the demands of that war caused the foreign trade to rapidly increase. When the war period ended, our foreign trade fell off at a greater rate than ever known in history. On the incoming of the Harding administration, the Fordney-McCumber protective tariff law was passed, going into effect on September 21, 1922. According to Democratic theory this should have further reduced our foreign trade, and that party lost no opportunity to make such predictions. I quote the following from the Democratic campaign book of 1922:

The Fordney-McCumber profiteers law is the worst tariff law ever passed by an American Congress. * * * It will not yield the Government itself more than \$250,000,000 in revenue under the most favorable circumstances. * * * It is practically an embargo on foreign products, and will destroy what is left of our foreign trade.

History has been written since the foregoing declaration. Let us examine the results.

The foreign trade of the United States, imports and exports, for the last year of the Underwood low tariff law aggregated \$6,944,000,000. During the 7 years following, up to the time of the world-wide crash and under that law which the Democrats predicted would destroy our foreign trade, that trade averaged \$8,921,000,000 a year. This is an average increase of \$1,076,000,000, or 15½ percent a year, over the last year of the Underwood low tariff law. During this 7-year protective tariff period, our foreign trade was larger than during any other peace period in our history. This forcibly proves the statement I made to the effect that under protective tariffs we have a greater foreign trade than under lower tariffs.

Tariff collections under protective tariff laws are also of interest, always being larger than under so-called "tariff for revenue" acts. Although the Democratic campaign book of 1922 predicted that under the Fordney-McCumber protective tariff law tariff collections would not exceed \$250,000,000 under the most favorable conditions, the historical record shows that up to the time of the world-wide crash such collections actually averaged \$573,000,000 a year. This is \$324,000,000, or almost 130 percent, greater than that estimated by the Democratic campaign book.

Under protective tariff laws neither unreasonable nor prohibitive tariffs are levied. Notwithstanding Democratic misrepresentations, we do not deny the right of foreign nations to freely deal with us, as is conclusively shown by the foregoing illustration. Of the imports that have been coming into this country under protective tariff laws, approximately two-thirds enter without the payment of a single penny of duty. Under protective tariff laws we do, however, levy sufficient tariff to protect the American producer from the cheap products of foreign lands. This has been the consistent policy of the Republican Party since its birth. To this principle I heartily subscribe. The American people, of course, have no ill will toward the people of any other land and wish them every happiness and success. But every American should look to the welfare of his own country first, and not only through personal purchases, but by his vote give every necessary preference to those products produced on American soil, made of American materials, and fashioned into completed shape by American labor.

It has been said that distance lends enchantment, and this seems to be especially true of the Democratic view on trade. That party always seems primarily interested in foreign trade, which is relatively small compared to our gigantic home trade. Foreign trade is desirable when beneficial—not otherwise. To merely send to some foreign

country products that can be as well produced in that country, in exchange for products that we can as well produce in this country, does not benefit either country. It merely gives such goods a holiday journey and adds to the cost of the article. While foreign trade should be developed wherever possible, it must not be at the expense of our home market, nor at the expense of American labor or American industry.

The American home market is the greatest in the world; it amounts to twice as much as all the foreign trade of all the nations of the world. Under such circumstances, is it not downright folly to remove needed tariff bars and open this rich field to the cheap labor and cheap lands of other countries?

The United States ordinarily consumes from 90 to 95 percent of its products. Is it not wiser to look to the safety and development of this trade rather than engage in a foolish gamble for the relatively small foreign trade? In this connection let me quote from an editorial in *Labor*, the official publication of the standard railroad labor organizations:

Roughly, 93 percent of all that we produce in this country is sold in this country—if sold at all. Only about one-fourteenth of our output, or 7 percent, goes abroad. With these figures in mind, it is easy to see that a 10-percent increase in buying power at home would be worth more to our producers than 100-percent increase in our exports. That is just plain arithmetic.

The development of buying power at home is in our own hands. No treaties or negotiations are needed. * * * But foreign markets are guarded by barbed-wire entanglements of tariffs, regulations, and subsidies difficult to get through, and with nothing on the other side as rich as the possible market within our own door.

Labor does not decry foreign trade. The more we get of it on fair terms, the better. But labor knows that foreign markets alone will not bring prosperity; and it knows that many of those who shout for foreign trade are blocking economic reforms at home.

Mr. President, nations, like individuals, ordinarily buy in that market where they can buy to the best advantage. Due to the severe competition among foreign countries, we, with our higher labor and higher production costs, can expect to gain but little from them; but with the restoration of business confidence in this country our gigantic home trade can be revived and materially increased and put the Nation on the road to sound recovery.

Mr. FESS. Mr. President—

The PRESIDING OFFICER (Mr. Gibson in the chair). Does the Senator from Missouri yield to the Senator from Ohio?

Mr. PATTERSON. I yield.

Mr. FESS. The Senator is comparing foreign trade with our own domestic trade, stating that the latter far surpasses all foreign trade, taking the world over?

Mr. PATTERSON. It is twice as large, as I understand.

Mr. FESS. I am impressed by the thought that in Europe, with an area perhaps only 500,000,000 square miles more than ours, there are 25 nations which in the aggregate have a much larger population than ours, and each nation has its own tariff barrier; while in this country, spreading over 48 States, we have the largest domestic trade of the world, without a single tariff barrier of any sort between State and State, constituting the freest trade in all the world.

The conditions in Europe do interrupt the free trade of European countries, and they naturally want to get into our great market. If they could get in without displacing the same commodities we produce, we would not care so much, but when we talk about freedom of trade we have a convincing example of it here at home, and the pending proposal is designed to interrupt that situation on behalf of Europe rather than on behalf of ourselves. That is the thing that I think our people are overlooking.

Mr. PATTERSON. The Senator's statement is absolutely correct. In that connection I should like to refer to a clipping from this morning's *Washington Post* containing a news item in regard to the address which Mr. Merle Thorpe made in Indianapolis. He refers to the fact that the European nations a short time ago, only about 4 or 5 years ago, sent a commission here to study trade conditions, and they made this report just a few years back:

With 7 percent of the world's people, the United States has more purchasing power than all Europe combined. This little group has created and owns more than half the world's wealth. From 6 percent of the world's acreage they harvest more than half the world's foodstuffs. Sixty percent of the minerals are extracted in America. Half the communication facilities, nearly half the railways and electrical energy have been developed and are in use here. Individual transportation is triumphantly interpreted in the production of 92 percent of the automobile output, which is operated on 600,000 miles of paved highways.

This 7 percent maintains a standard of living which consumes half the world's coffee, half of its tin, half of its rubber, one-fourth of its sugar, three-fourths of its silk, one-third of its coal, and two-thirds of its crude petroleum.

Mr. FESS. That is a wonderful showing. If the Senator will yield further—

Mr. PATTERSON. I yield.

Mr. FESS. The clipping the Senator read referred to the automobile industry. Unfortunately, the leaders of that industry are slipping away from the principles of protection.

Mr. PATTERSON. Under the mistaken impression that they are going to get more trade abroad.

Mr. FESS. Precisely. Because automobiles have come to be the second greatest export products of America, they overlook the fact that nearly 90 percent of all the automobiles they produce will be sold here, and even if they keep up only with the increase of our population it is better not to sacrifice our home market in behalf of buyers in the Old World and in South America. More than that, the replacements here in America of second-hand automobiles by new automobiles will be sufficient to keep the automobile industry going, provided we maintain the buying power of the people here at home. When they have supplied the home market for the moment, they can look abroad to sell the surplus; but they are putting the emphasis on the fraction produced beyond what we consume and are falsely looking to foreign sales and overlooking the sales at home.

I am receiving letter after letter from personal friends of mine who are in the automobile business asking me to support the pending proposal. They are mistaken in what they are asking for, because they are going to sacrifice, in a large measure, the power to sell at home because of the visionary idea that they are going to increase the sales of their product abroad. It is only because the automobile manufacturers have reached the high scale where they have a surplus that they are putting their emphasis on that surplus instead of on supplying the great demand here at home.

I make that statement because there are constantly letters coming to me in this behalf, and there are also other friends who want this bill passed; and I know they would not want it passed if they could realize what they will be in for if they shall sacrifice the home market.

Mr. PATTERSON. That is correct, and I am going to treat that subject further on in the course of my remarks.

Mr. DICKINSON. Mr. President, will the Senator yield?

Mr. PATTERSON. I yield to the Senator from Iowa.

Mr. DICKINSON. In line with the suggestion as to what we are doing in connection with the pending proposed legislation, I want to quote from the *Herald Tribune* of this morning an article by George Clarke Cox, in which he says:

The thesis of what I am writing is that the new deal, which professes such tenderness for the investor, is in a fair way to abolish him altogether.

Statistical studies under the present state of confusion are not much more valuable than a topographical map of the Mississippi just before a flood.

The new deal has had these results:

The dollar has been devalued 40 percent, with a legal 10 percent more and an (at present) illegal but possible further devaluation. No one knows.

The gold clause in United States Government bonds has been repudiated, including a large issue immediately after March 4, 1933.

The seizure of gold and the writing up of its price, the removal of the gold to the Treasury from the Federal Reserve System have caused vast confusion as to the backing of all our currency.

Federal Reserve figures are no longer revealing; they conceal facts to which investors are entitled.

Immense increase of funded debt without corresponding Treasury receipts has diluted the value of all Government securities.

N.R.A. has forced increased costs upon all corporations, often with decreased business; all past computations are rendered unreliable.

The soundest of all corporations under the old deal—viz., operating public utilities—are forced to cut rates, accept larger taxes, meet public competition, etc. The very highest-grade investment securities have been rendered objects of suspicion without any failure on their part.

The next paragraph is one to which I call the particular attention of the Senator from Missouri:

No one knows whether we are to continue to have foreign trade or not.

And that by reason of the confusion which is brought into the whole atmosphere. The next paragraph, which is of particular interest to the State of Missouri and to my State of Iowa, reads:

Processing taxes, bounties to farmers of all kinds, make calculations of profits in various corporations difficult, if not impossible. All previous common law under which business had been conducted seems set aside by Executive order.

That is the reason why it was necessary to have a new Executive order to buy automobiles for the service in the P.W.A. When they found they did not have the authority they got a new Executive order to grant them the authority. In other words, this is a reign of Executive orders.

The profit motive is openly assailed—

As shown by the Senator from Ohio [Mr. Fess] in the Tugwell report of yesterday. Tugwell is now sitting in as one of the members of the Executive Policy Committee to direct operations under the new tariff law—

The profit motive is openly assailed, whereas without profit there can be no business and certainly no investing.

This simply shows what is happening with all these new things pressing in on finance, on industry, on every phase of our commercial, industrial, and economic life in this country. It is bringing about a stalemate, the outcome of which no one can foretell.

I think this all fits in with the line of argument which is being presented by the Senator from Missouri.

Mr. PATTERSON. I think so, too; and I thank the Senator for his contribution.

Unfortunately the measure now before the Senate will only add to the uncertainty that now pervades the business field, further destroy business confidence, and put further obstacles in the way of sound business recovery.

Enact this measure and Congress suspends a Damocles' sword over every industry needing tariff protection. No such industry could possibly know how long it would be permitted to exist. Any day the news may come that the President has negotiated a treaty taking from such industry that protection without which it cannot exist. Under such uncertainty such industry would only manufacture to meet its immediate needs. With such a threat hanging over it no industry would endeavor to extend its facilities, nor could finances be obtained for such purpose. No new enterprise would dare enter such fields with the knowledge that the stroke of a Presidential pen at any time may wreck the industry and wipe out the capital invested therein. Financial institutions would be slow to grant loans to such industries, and other concerns would hesitate to extend them credit. There is no cost so high to industry as the cost of uncertainty. Let this measure be passed, and it will be impossible to estimate the damage it will cause to American business.

This is not a constructive measure. It is a destructive and ruinous one. It will not build up American industry but will destroy such industry. It will not add to American employment but will decrease such employment. It will not restore business confidence but will further undermine such confidence. No such proposal has ever been submitted to the American people; and I again say that I deny the right of this administration, especially in view of its campaign pledge, to saddle on the backs of the American people this infamous piece of legislation.

Why does this administration completely ignore its pledges to the American people on the tariff question? I have pointed out that one plank in the Democratic platform favored tariff framing free from executive interference, yet the proposed legislation before us is entirely contrary

to that plank, and puts arbitrary tariff powers into Executive hands. There is another plank in the 1932 Democratic platform to which I desire to call attention. It is as follows:

We condemn the Hawley-Smoot tariff law, the prohibitive rates of which have resulted in retaliatory action by more than 40 countries, created economic international hostility, destroyed international trade, driven our factories into foreign countries, robbed the farmer of the American markets, and increased the cost of production.

Seldom has there been a more severe indictment of any measure by any political party. I think it will not be questioned that if the Democratic Party believed in its 1932 tariff plank, then this administration was duty bound to take immediate steps to repeal the present tariff law. This administration has now been in power for almost 15 months. No administration in history has been in such complete control of legislation as the present one. Yet not only is the tariff law, so severely denounced by the Democratic platform, still in full force, but not a single step has been taken by the administration to repeal such law. Under such circumstances what becomes of any pretensions the Democratic Party may make on the tariff question and what reliance can be placed on any representations it may make in the future?

The Democratic platform condemned the present tariff law as having resulted in retaliatory measures by more than 40 countries, yet the administration keeps the law on the statute books. The Democratic platform charged this law with creating economic international hostility, yet the administration continues the law in force. The Democratic platform asserted this law had destroyed international trade, yet the administration refuses to repeal the law. The Democratic platform charged that this law had driven our factories into foreign countries, yet the administration continues the policy it claimed was driving American factories abroad. The Democratic platform accused this law of having robbed the farmer of the American markets, yet the administration permits the so-called "robbery" to continue. If this administration believes what the 1932 Democratic platform said about the present tariff law, then it has been guilty of little less than treason in permitting this law to remain on the statute books, a law which it claimed was wrecking and ruining the country.

If the Republicans are to be condemned for enacting a law which they sincerely believed would be of benefit to the country, are not the Democrats to be condemned a thousandfold for permitting a law to remain on the statute books which they claim is ruining the country? But one conclusion can be drawn from the actions of the administration, and that is that the tariff plank in the 1932 Democratic platform was a dishonest declaration, made only to deceive the American people, and that the Democratic criticism of the present tariff law was wholly unjustified.

It may be said in apology that it is the intention to change the present tariff law through the provisions of the bill now before us, but that answer will not do. In the first place, the Democratic platform is expressly opposed to the bill before us; in the second place, no step has been taken to change the present law during the almost 15 months this administration has been in power; in the third place, it would not be practical to correct, through treaty negotiations, the wholesale injustices which are alleged by the Democratic platform to exist in the present tariff law, and it is even possible that not a single change may be made through the channel of such negotiations.

When dreamers begin chasing the foreign trade will-o'-the-wisp, we can expect them to bargain our rights away, and this will likely be the result under this measure. But suppose the American spirit should prevail, and we should insist on obtaining a fair return from abroad for any concessions we may make. Foreign nations would hardly be interested in any such negotiations, and under such circumstances it is possible that no treaties would result. This would leave on the statute books the present Republican protective tariff law, which the Democratic platform denounced so severely and which it charged was responsible for practically all our ills.

The measure now before us is not congressional legislation, for, if left to its own initiative Congress would not give a respectable hearing to any such proposal. It is nothing more or less than a cowardly surrender on the part of Congress to the executive branch of the Government—a course contrary to every American principle.

Let Congress reassert its constitutional prerogatives, and exercise the functions delegated to it by the Constitution. Let me appeal to the Democrats to be fair with the American people, and honestly endeavor to carry out the pledges made by them during the 1932 campaign. If they believe the present tariff law is wrong, they should make an honest attempt to repeal it, but let them do so in the manner provided by the Constitution which every Member of Congress must take an oath to support and defend before he can take his seat. Let us not travel farther along the road which is leading us only to ruin and disaster.

Mr. President, we have reached an epoch in the history of our Nation where expedients of every kind are set forth as palliatives or downright curatives in the domain of our domestic economy. In no other field, however, are so many proposals advanced as in that relating to our trade and commerce with the other nations of the world. They range from what would amount to absolute free trade, through all the gradations of bargaining, swapping, reciprocal deals, and bilateral arrangements to the extreme now proposed of conferring on the Chief Executive the authority to execute commercial treaties with foreign governments regardless of the limitations upon such action prescribed in the Constitution. As sole judge of the feasibility of altering any or all of our tariff schedules, the Executive would have dictatorial power in one of the most essential and vital departments of Government. Such a policy, involving so radical a change in our practices from the foundation of the Republic, so violent an abandonment of the traditions of the country, is not only a threat to our business interests but a menace to our institutions.

Mr. FESS. Mr. President, will the Senator yield there?

Mr. PATTERSON. I yield.

Mr. FESS. The Senator has spoken in rather vigorous language in criticism of the failure to keep a pledge. I share that feeling with him to a considerable degree, and yet I never criticize anyone for changing his position from one Congress to another if new information has been received that formerly was not available, provided the question is merely economic; but if it goes to fundamental principles, and the change is elemental, it becomes serious.

When a party announces a position on a particular subject and later on either changes it, as in the case of the League of Nations, or some new information that originally was not available comes to light, I can excuse a change of position; but when the change goes to the fundamentals of our institutions it becomes terribly serious, and the most serious things is the manner in which the change is treated by those who make it. It is said either that the action is taken because of an emergency or that it is taken in order to be open-minded, progressive, growing. The danger is that even in the fundamentals the breach instead of observance of the promise will become the rule; and, worst of all, those breaking their promises boast of their action as if that were the thing they ought to do.

That is what disturbs me when I see this administration abandoning every fundamental principle it has announced.

Mr. PATTERSON. I agree with the Senator in that respect; and I desire to add that there has been no change in conditions between the time the Democratic Party made the declaration of its purpose with reference to the tariff and the present time.

Mr. FESS. No.

Mr. PATTERSON. We are living under practically the same conditions.

There never was born an individual with enough wisdom and knowledge of world affairs to warrant the bestowal on him of such sweeping and autocratic authority as the majority in Congress contemplates conferring on the President.

We know that, when viewed in the perspective and by the light of history, the protective-tariff system, such as America has enjoyed with scant interruption from the first legislative act ever passed by an American Congress down to the present time, has been a real blessing. A protective tariff has ever been the basic doctrine of the Republican Party, and it has been approved by the mass of the people, for even the most unlearned of the population knew that it meant for our workers better wages and higher standards of living, more of the comforts and refinements of living than the wage earners of other lands could ever hope to obtain. Its practical operation meant that the laboring classes here were better fed, better housed, better clothed, than were any others under the sun who depended for their livelihood on manual toil. Our toilers in the United States have been the envy of all who lived by the sweat of the brow; and for that reason millions of human beings in all parts of the Old World flocked to our shores, where they found not only a refuge from oppression but the opportunity to live on a scale of material well-being impossible for them to attain in the land of their nativity.

It is unnecessary to dwell on the thesis of what a transcendent part our protective system played in the development of America. The lesson is plain enough for all to read and it will stand for all time. Credit for upholding this major policy in large part belongs to the Republican Party. In all our political mutations it has never wavered, has never once faltered, has ever kept the faith, and is as insistent upon its maintenance now as when it was first organized. Our opponents can boast of no such record. Theirs has been a record of sniping, of tariff tinkering, and perennial effort to lower the duties on foreign imports below the safety line. They learn nothing; they forget nothing; and today, but under a new guise, they are at their old tricks.

What is the illusion that obsesses our opponents today? Nothing more or less than that prosperity can be recaptured by the simple device of negotiated treaties effected by 1 man for 125,000,000 souls.

The United States does one-half the business of the world; but, as matters now stand, it is done almost entirely among its own nationals. Our foreign trade, which of yore loomed gigantically, is no longer a primary consideration; for our exports in recent years have not exceeded 5 or 6 percent of our total production, if we include in the total the nonexportable items of distribution, transportation, and construction.

Half a century ago 80 percent of all our exports came from the farm, and, of the grand total, cotton alone accounted for more than 50 percent up to the year 1850. During all that period our domestic producers believed they would enjoy a monopoly of this particular crop for all time. Such a monopoly existed for generations, but it does not exist today. The reasons for this are to be found in the constantly growing competition of other lands. That competition has reached the acute stage. Egypt, for years a producer, is this season adding an enormous acreage heretofore planted to other crops. India is making fast strides in the same direction. Brazil and Argentina have entered the list, with the encouragement of their governments. This, of course, does not imply an immediate cessation of foreign demand, but it is not an unreasonable prediction that long before the turn of the century our dealings in raw cotton will not extend beyond our own shores. England's far-flung dominions will supply the "tight little isle", while Germany, Italy, and the rest, including the industrial section of the Orient, will cease getting their cargoes here.

Next in importance in our export trade comes wheat. In the not far-distant past our exportation of this cereal equaled at least 25 percent of the whole production, and wheat farmers profited by the sale of this surplus abroad. Today there is a different story. Australia, Argentina, and Canada have almost crowded our wheat growers off the boards, and our share in that particular market can never be regained. Pursuing a policy of nationalism nigh akin to isolation, many people have embarked on a policy of raising as nearly as possible all the foodstuffs their nationals

consumed. Even now Italy lacks little of raising every bushel of wheat needed. Germany is not far behind and England will simply ignore us in favor of the self-governing units of the Empire—Australia and Canada. Britain, indeed, would look to Canada rather than to the United States for its bread supplies and only in case of a crop failure in all three of these countries would she turn to the United States.

The foregoing merely suggests the changes in an ever-changing world. Men in England grieved over the disappearance of the whaling business; the indigo growers sobbed when their product had to yield to synthetic indigo; and, coming down to modern times, the breeders of horses and mules cursed the advent of the automobile. Of all the nations of the earth, we have the least reason for worry or apprehension as to the future. We have a market of our own, a home market that is of such transcendent importance as to dwarf international commerce. The loss to agricultural interests is for the present heavy but will find compensation in natural adjustments. What will remain with us, which no mutations of trade can ever take away, is the home market for such essentials as dairy products, meats, eggs, fruits, and vegetables.

The wheat and cotton farmers are desirous of doing a heavy business both at home and abroad, but they will have to face the fact of changed world conditions. A benign Providence has so ordained that this mighty continent called the United States does not have to look to alien sources for its material necessities. We stand on an enduring basis from natural causes, supplemented by the superior ingenuity and skill of the most efficient workers known to history. With few exceptions, which may almost be counted on the fingers of one hand, this Nation is absolutely independent. Leaving out rubber, coffee, and silk, and a small group of metals, America is self-sufficient as to commodities of magnitude. As to silk, which we buy from China and Japan, an excellent substitute has been found in rayon. Synthetic rubber of undoubted quality will, in the opinion of scientists, take the place of the natural product, so that the only major commodity which we have not yet produced or found a substitute for is the item of coffee, of which we are the world's greatest consumers. Note the fact that not a solitary article of our imports that belong in the catalog of necessities comes from Europe. That quarter of the globe gives us nothing that we really need. The small dependence that does exist is on the Orient, portions of the Near East, and a few islands in the Pacific Ocean.

Mr. FESS. Mr. President, will the Senator yield?

Mr. PATTERSON. I yield.

Mr. FESS. As the Senator is very well saying, we note that our export trade is gradually diminishing, not due to tariffs, but due to the stimulation afforded by other countries to the production of the things we produce here, as is illustrated in the case of wheat.

Prior to the World War there were not many wheat-producing countries, but under the fear that the soldiers might starve, the cry went out to all the countries of the world identified with the Allies to grow wheat. The result was that we not only increased our acreage of wheat, but other countries began to grow wheat, and the disaster to us is that they did not discontinue it. After they found they could produce wheat, they began growing to supply their own demands and now are producing wheat to supply other countries which we once supplied. So, as the Senator will recall, only a short time ago a conference was held in Geneva, our country being represented by an ex-Governor of Nebraska, where 11 countries were in session, through their representatives, dealing with the surplus wheat crop, 11 countries, including those which had never previously grown wheat.

Now those countries—11 of them—having a surplus, supply the Liverpool market with wheat grown more cheaply than we can supply it, and due to that fact our chance to dispose of our surplus of wheat in Europe is bound to grow less and less, not on account of tariffs, but on account of these normal forces.

The same thing will occur, as certainly as that we are in this Chamber, in the case of cotton, because of the recent legislation looking to compulsory reduction, which favors the Old World in growing cotton at the expense of the American cotton grower. As once we exported all but 37 percent of our cotton, we are now exporting only about 42 percent. Those exports will decrease under that sort of legislation as certainly as that an effect follows a natural cause.

The idea that it is tariff legislation which causes all this result is perfectly silly, and to give the President such bargaining power, to destroy or reduce any of our American products, in the hope of increasing the imports of an article which other countries wish to sell to us, I think, is unwise in the highest degree. I think the Senator, in emphasizing that point, is on fundamentals in the discussion.

Mr. PATTERSON. I thank the Senator.

In the last analysis, then, why should Americans, looking down from their high point of vantage, be influenced by the zeal of the "new dealers" to swap and bargain and make treaties with nations which in all the tides of time will never be on a parity with us. In an epoch when the Government is harassed with the problem of creating and financing jobs for millions of unemployed, our modern theorists seems to have forgotten that this country has had the worst of it in our foreign financial transactions since the conclusion of the World War; and by this time it must be universally believed by foreign nations that Uncle Sam is a very gullible personage, and they would doubtless be as quick to trade and bargain now as they were to become indebted for enormous sums which they never intended to liquidate.

On the surface it might be easy to make out a case where benefit would accrue from lowering our tariff. We might, for instance, bargain with England to reduce its tariff on automobiles in return for the reduction in the duty we impose on manufactures of cotton. Such a bargain would result in an increased sale of English cotton goods in the United States and cause the mills of Lancashire to employ more operatives and make more money for their owners. In our own country prices in every line of cotton goods would fall, and many of our textile plants would have to reduce wages sharply, while some would be forced out of business, with hundreds of employees thrown out of work.

Mr. LONG. Mr. President, will the Senator yield?

Mr. PATTERSON. I yield.

Mr. LONG. I have been interrupting entirely too much in this debate, perhaps, but if the Senator will permit me a moment, I understand a news report has been received regarding the Colombian Treaty. I have been unable to consult the newspapers this morning, having just come into the Chamber, but I understand there is such a report, which gives the information that it has been found from some source that the Colombian Treaty deals with tropical fruits and oil produced in Colombia, and some other products of that kind, which are to be brought into this country.

I understand the treaty is not to be sent to us, but if I am correctly informed there is some kind of an export tariff in force down in Colombia—I am not as familiar with it, perhaps, as I should be—and under this treaty the export charges on the fruits to be brought out of Colombia will be abrogated, and the Colombian people will thereby be enabled to bring their tropical fruits into the United States without having to pay the export charges ordinarily imposed on them by Colombia.

Mr. President, if that be true, then California and Florida and Texas might as well get ready to sacrifice their fruit business. That goes without saying.

Furthermore, we are undertaking to restrict oil production in the United States, due to the fact that the supply is now in excess of the demand. Some want an oil dictator over the industry in order to reduce the production. Yet if this reciprocal tariff is to be put into effect, we will on the one hand have an administrator curbing American production, and a reciprocal tariff permitting the importation of foreign-produced oil.

Of course, I am not advised completely regarding that matter, but it seems as if we are working at cross purposes, at one time attempting to restrict American production in order to bring the supply down to the demand, and with the left hand negotiating a treaty with Colombia in order to bring more of the oil of that country in.

In another direction we are undertaking to curb agricultural production, even of fruits, and at the same time negotiating with Colombia with the left hand to bring in their tropical fruits, naturally to the disadvantage of the American fruit producers.

It looks as if the whole thing, with this kind of a bill being urged, is at cross purposes. Waiving the point as to whether it has been wise to attempt to restrict domestic production, at least if it is necessary to restrict domestic production, we should not be negotiating with a foreign country to bring in foreign products at the same time.

Mr. PATTERSON. Mr. President, I was referring to the possibility of a bargain with England to reduce its tariff on automobiles in return for a reduction in duties we impose on manufactures of cotton.

It is no answer to say that the automobile plants of Detroit might obtain more English orders for automobiles. Such a plan would diminish our home market, as the former workers in the textile mills would no longer be in a position to buy. This would affect thousands of textile workers in the factories of New England and the South, who would be thrown out of employment. These unfortunates cannot be shifted en masse from their homes to the scene of the automobile industry, and none but a mind that revels in dreams can advocate such impractical dealings.

Another argument advanced for lowering our duties is found in our position as a creditor nation. On the supposition that we do lower our tariffs or make reciprocal trade agreements, while the effect would allow our foreign debtors to pay off their obligations, it would by no means guarantee any considerable increase of their purchases from us, and wanting this assurance, we would get the worst of the bargain. The injury done our workers deprived of their jobs through the influx of imported goods would far outweigh the benefit to some American holders of foreign bonds. It would sacrifice the many for the advantage of the minority, who employ their money in investments abroad.

The manifest lesson is to push aside the doctrinaires and rainbow chasers, who think only in terms of internationalism—visionaries who seem ignorant of the fact that the United States, with not over one-thirtieth of the entire population of the world, does one-half of the whole world's business. We should concentrate more than ever on developing our own colossal home markets. We should give every American industry the protection that it needs to protect our higher standards of living. While we should develop our foreign trade wherever possible, we should not do so at the expense of our own home market. The home market is twice as large in volume as the foreign trade of all of the nations of the world. We owe it to ourselves to push aside the rainbow delusions of international contacts. Our happy fate is to keep in the van of all mankind simply by nursing our own advantages. All else is but a phantom.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed the bill (S. 3025) to amend section 12B of the Federal Reserve Act so as to extend for 1 year the temporary plan for deposit insurance, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H.R. 2837) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the Vice President:

H.R. 9530. An act granting the consent of Congress to the county of Pierce, a legal subdivision of the State of Washington, to construct, maintain, and operate a toll bridge across Puget Sound, State of Washington, at or near a point commonly known as "The Narrows"; and

H.J.Res. 345. Joint resolution to provide funds to enable the Secretary of Agriculture to carry out the purposes of the acts approved April 21, 1934, and April 7, 1934, relating, respectively, to cotton and to cattle and dairy products, and for other purposes.

FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. VANDENBERG. Mr. President, I desire to interrupt the tariff debate for only a moment, but it seems necessary to make a statement respecting a contemporary matter.

In connection with recent unsavory political disclosures in Michigan, I was particularly incensed at the suggestion that the administration of the Federal Deposit Insurance Corporation was being prostituted to political cash-register purposes. The suggestion arose from published quotations of entirely reliable and trustworthy business men of Plymouth, Mich., who said they were approached by Mr. George Woods, secretary to the recently resigned United States collector of internal revenue at Detroit, who also serves as Democratic national committeeman from Michigan, and solicited for contributions for Democratic campaign funds and for certain other lobbying purposes.

In connection with other amazing proposals, described by this reputable citizen of Plymouth and attributed to Mr. Woods in these newspaper reports, was the following quotation in connection with the solicitation of funds:

You know that all applications for deposit insurance pass over this desk.

This citizen of Plymouth, who helped raise some of this money sought by Woods is thereupon quoted as follows:

We felt that we were in a tight spot. Our two banks had just gotten going, and we were very anxious to qualify for Federal insurance. We didn't know, of course, whether Woods spoke with authority, but we felt that we couldn't afford to take any chances.

It was by such methods as these that the political pot was said to be raised. I do not at the moment discuss some of the other methods. But in fairness to the Federal Deposit Insurance Corporation, and in order that banks may know authoritatively that they need not surrender to any such political chiseling, I feel that this particular episode should be extended in the RECORD.

I submitted the proposition this week to Hon. Leo Crowley, Chairman of the Federal Deposit Insurance Corporation. He says for himself in a letter dated May 23:

I would not countenance any interference with the operation of this Corporation from outside sources, believing that all applications for membership to the fund should be considered strictly on their merits, with fair and equitable treatment to all.

From my own observation of Mr. Crowley and his colleagues, I state my own complete belief in the integrity of this statement.

Mr. Crowley goes farther. He submits to me a supplemental memorandum from Mr. H. N. Stronck, assistant to the director of the Corporation, and in intimate charge of membership applications last December when this disgusting episode occurred. Mr. Stronck says:

Based upon my personal experience and observations, I can safely state that I know of no case where—

1. Any of the activities of the F.D.I.C. in connection with the admission of the banks were subject to any form of political censorship.

2. That no applications for insurance in Michigan or in any other State were submitted by this Corporation to Democratic national committeemen.

3. That neither in Michigan nor elsewhere were Democratic national committeemen or any other political officers consulted with or advice asked as to the qualifications of banks for admission to the insurance fund, and that the cases were decided strictly upon technical and legal requirements.

Mr. President, I have wanted to make this statement for the RECORD because of the utter importance that no suggestion of a shadow should rest upon the administration of the sacred trust involved in the protection of the bank accounts of the American people through this new and amazingly effective instrumentality of government. Here, certainly, is

one point where it would be near treason for political exploitation to enter.

I cherish the hope that if any political highjackers shall so far trespass upon the hopes and fears of those who must deal with the Federal Deposit Insurance Corporation as to renew this type of chiseling anywhere in the United States, this forthright statement from the responsible officers of the F.D.I.C. will serve to reassure the intended victims that they need pay no heed or tribute to any such collectors.

CALL OF THE ROLL

Mr. OVERTON. Mr. President, I suggest the absence of a quorum, and ask for a roll call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Johnson	Robinson, Ark.
Ashurst	Cutting	Kean	Robinson, Ind.
Austin	Davis	Keyes	Russell
Bachman	Dickinson	King	Schall
Bailey	Dieterich	Lewis	Sheppard
Bankhead	Dill	Logan	Shipstead
Barbour	Duffy	Loneragan	Smith
Barkley	Erickson	Long	Stelwer
Black	Fess	McCarran	Stephens
Bone	Fletcher	McGill	Thomas, Okla.
Borah	Frazier	McKellar	Thomas, Utah
Brown	George	McNary	Thompson
Bulkley	Gibson	Metcalf	Townsend
Bulow	Glass	Murphy	Tydings
Byrd	Goldsborough	Neely	Vandenberg
Byrnes	Gore	Norbeck	Van Nuys
Capper	Hale	Norris	Wagner
Caraway	Harrison	O'Mahoney	Walcott
Carey	Hastings	Overton	Walsh
Clark	Hatch	Patterson	Wheeler
Connally	Hatfield	Pittman	White
Copeland	Hayden	Pope	
Costigan	Hebert	Reynolds	

Mr. ROBINSON of Arkansas. I desire to announce that the Senator from California [Mr. McADOO] is detained by illness, and that the Senator from Florida [Mr. TRAMMELL] and the Senator from Massachusetts [Mr. COOLIDGE] are necessarily detained.

I ask that this announcement may stand for the day.

Mr. HEBERT. I desire to announce that the senior Senator from Pennsylvania [Mr. REED], the junior Senator from North Dakota [Mr. NYE], and the senior Senator from Wisconsin [Mr. LA FOLLETTE] are necessarily absent.

The PRESIDING OFFICER. Ninety Senators having answered to their names, a quorum is present.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. WALCOTT. Mr. President, the Constitution, under the present administration a badly manhandled document, vests in the Congress, as the representatives of all of the people, jurisdiction over the economic life of the country, a power which the people of Connecticut would not have transferred to a single person or group of persons.

The pending reciprocal tariff bill is an invasion of the sovereignty of the people of my State and of all the States to which I cannot become a party. It is too nearly akin to "taxation without representation" to be acceptable to the New England which was so active in throwing off such a yoke and aided in giving to the country the Constitution which has sufficed for all of our needs until the advent of the present administration.

Mr. LONG. Mr. President, will the Senator from Connecticut yield?

Mr. WALCOTT. I yield.

Mr. LONG. I desire to know if at this time we could not ask someone who is in authority what is going to be the disposition of our application for the Colombia Treaty. Will the Senator from Connecticut permit an interruption so I can ask that question?

Mr. WALCOTT. Certainly.

Mr. LONG. My friend the Senator from Arkansas [Mr. ROBINSON], or the Senator from Mississippi [Mr. HARRISON], perhaps, can inform me. I want to get in the RECORD, if I can, a statement as to just what is going to be done with reference to the request for the production of that treaty.

Mr. HARRISON. I understood the Senator from Louisiana made a very respectful request for it on yesterday.

Mr. ROBINSON of Arkansas. Mr. President, I object to any consideration of the matter at this time.

Mr. LONG. I want to get the record straight. May I inquire of the Senator from Mississippi? The Senator from Mississippi responded the other day with the suggestion that he thought the State Department would send this treaty here provided the Republic of Colombia did not object, and the Republic of Colombia was being asked by the State Department if it was all right.

Mr. HARRISON. I think that country has been asked whether or not there would be objection. Of course, the rule is that both countries simultaneously publish a treaty or agreement when it is made, but I do not like to have the discussion on the pending bill diverted by a discussion of another subject matter.

Mr. LONG. Mr. President, I wish to inform the Senator from Mississippi that I have information that that is not what is withholding the treaty. Since the Senator made that statement, I have been reliably informed that it is not on that ground that the State Department is withholding the treaty, but on other grounds. That is why I was hoping to get an authoritative statement in the RECORD on the matter.

Mr. ROBINSON of Arkansas. Mr. President, I shall object to any consideration of the resolution.

The PRESIDING OFFICER. Objection is made.

Mr. WALCOTT. Mr. President, Connecticut is not willing to yield the power of economic life and death to theorists or to the executive branch of the Government. It cannot be justified as an emergency measure; it cannot be demanded of the Congress as necessary for the general welfare of the country if we are to rely upon the expressions of Democratic leaders in such matters who have complained that the flexible tariff itself is an invasion of State rights; it is perhaps then merely to appease the vanity of a Chief Executive and his advisers that each plank in their party platform had been dealt with and the promise of action redeemed.

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It may well be argued if we have not faith in our Chief Executive, the country is in pretty bad shape. On that basis it can be said that if he were personally to administer the law we are being called upon to enact, all would be well. But he cannot do all of this, and necessarily he must delegate the duties imposed under this bill to subordinates, probably men who never have been engaged for a single day in actual industrial pursuits, but who view the intricacies of the tariff from textbook knowledge.

Connecticut is too highly industrialized to view other than with extreme perturbation the surrender of their rights under the Constitution to those who are selected, not those who are elected. The practice of tariff logrolling, which has been decied here, at least gives opportunity for the duly elected representatives of the people of my own and the other States to have a voice in the matter.

It is not the demand nor yet the wish of our people that we build up a Chinese wall of import prohibitions, but it is asked that we have that degree of protection for our industries and our workers that will neutralize the trade advantages of the Old World and the Orient in particular accruing from cheap labor.

The pending legislation is neither of an emergency character nor necessary for the carrying out of the President's recovery program. We talk about "Yankee trading" to be made possible under the operation of this bill. The Presi-

dent already has as much power under the National Industrial Recovery Act as the pending bill proposes to accord him, and the administration should be satisfied to rest with that instead of seemingly going out of its way to keep industry and labor stirred up with indications of undertaking by new and devious ways to remake the economic structure of the country.

The question of our right to delegate these tariff- and treaty-making powers to the executive branch of the Government has been covered admirably and completely by the Senator from Idaho [Mr. BORAH] in his address before the Senate last Thursday, dealing with the constitutional issue the bill involves. Aside from this, there is no need for me to enter into a discussion of the constitutionality of the proposal. The tariff is a revenue measure; it is a tax measure; and, as such, originates in the other House. From the early days of our existence as an independent nation the House of Representatives has originated tariff proposals and has set forth specifically the amount of tax which must be levied on goods coming into our ports from foreign countries. We may well doubt the constitutionality of the pending measure. It has not been successfully contended here that the President is not being given power which is exclusively reserved by the Constitution to Congress.

We must not, in our deliberations, compare the pending proposal with the flexible provisions contained in our present tariff act. Under the present act, whenever a change in a duty is contemplated, the Tariff Commission makes thorough and impartial investigations in this country and abroad, and after full public hearings, at which may appear those who are specifically interested, makes recommendations to the President. The bill now under discussion, on the other hand, permits the President, after a hearing which bids fair to amount to little more than an advance warning of doom, to change any duty. Of course, it cannot be conceived that he proposes to revise these duties upward. There is no provision for consideration by Congress, whose prerogative it is under the Constitution to levy taxes.

The Senator from Idaho has said that "the integrity of constitutional government has never meant so much to the average American citizen, to those whom Lincoln was wont to call 'the common people', as in this very hour." I feel that he is right. There are those who are becoming increasingly willing to blink at disregard for the Constitution.

The question of how our welfare will be affected, what we shall have to lose or gain by authorizing the negotiation of reciprocal tariff treaties is a complex one, and is bound up with broad questions of national policy throughout the entire period of our existence as a nation. Our domestic market is the prize which is put at stake, and has been put at stake by all attempts at alteration of our tariff policy.

No nation trades entirely within itself, but the form, variety, and purchasing power of domestic consumers differ greatly. Even today, the United States has the largest, the most varied, and in consuming capacity the best domestic market of any nation in the world, and the one which every other nation most desires to penetrate.

Our domestic market is the largest free-trade area in the world. Neither Russia, China, India, nor any similar physical areas can be compared with the United States, because of the small buying power of their population and the numerous natural restrictions on intercourse, due to lack of communication. Europe alone has similar physical proportions to ours, but the buying power of a larger European population within a similar physical area varies, and, on the average, is much less than ours, without equal facilities for communication. Moreover, we have free intercourse between 48 States, several of which are greater in physical area than is any one of the European nations save Russia. The customs barriers erect stockades which divide the European area into cloistered markets so small that, in the case of Belgium, a highly industrialized state, trains cross its area in the same period of time required for passage through Massachusetts.

Under these conditions there is no comparison between the United States, without a customs barrier between the Atlantic and the Pacific, or Canada and Mexico, and a

Europe checkered with independent sovereignties, each operating under a separate customs system necessitating continuous negotiation and bargaining to find outlets for states which must export the greater part of their production and import many of their necessities for both living and defense.

Here 67 percent of our imports enter free. England alone, among European states, shows a larger figure of free importations.

Secretary Wallace says we must choose between contraction of our foreign trade and a declining capacity to use our excess of production. The intimation is that plenty threatens us with poverty. We must, he intimates, check industry and throttle inventive progress in order to preserve agriculture, or open our domestic market to an enlarged exchange for foreign goods, and thus limit our industrial production by the amount of our importations.

In the past, events have not shaped themselves in accordance with this conclusion. Fiske's *Critical Period of American History* shows that in the period between the Yorktown surrender and the adoption of the Constitution our markets were flooded with British goods, which took our hard money and threatened to leave us dependent for defense and domestic security on imports. We were still the victims of Chatham's declaration that "the Colonies should not be permitted to make a horseshoe or a hobnail for themselves." Yet we did not prosper.

The first act of the First Congress was the passage of the famous tariff bill suggested by Hamilton's report. The Colonies, threatened with bankruptcy and fiscal chaos, began to transform household industries into the beginnings of the industrial system.

America chose to secure economic independence through the development of industry. One State after another did everything to encourage domestic manufacture and create a new sense of economic independence. Invention, through manufacture, made possible the development of agriculture on an equally independent basis. Before Eli Whitney's cotton gin, it took the labor of one slave 1 day to separate a pound of lint from seed. A Connecticut Yankee founded the kingdom of cotton, for, at the adoption of the Constitution, less than 500 bales of cotton were exported from the United States annually.

With the development of cotton as its staple, the South became almost wholly agricultural, living on exports, while the North became industrial, and the irrepressible conflict that followed had its foundation partly in the divergence of sentiment in a section dependent on imports in exchange for cotton, with comparatively little development of manufacture.

A Wallace in the South would then have argued that the South must choose whether to be agricultural or industrial. Whereas, since the Civil War, the South has written its own answer in terms of both agricultural and industrial development, balancing the competition of other sources of cotton with its own manufacturing product.

Again, during the Civil War, McCormick, by the invention of the combined reaper and harvester, applied machinery to agriculture, released men to the Army and yet, with lessened numbers of workers, fed the North and had food for export. This had never occurred before in the history of civil war.

The fundamental trouble with the Wallace theory is that it does not recognize the fact that our population operates under a continuing exchange of goods and services, using money and credit as the intermediary. Disturbance of the balance in production and distribution requires its restoration; otherwise all business will suffer. But the production itself is the source of wealth, and our choice is not made between national and international trade, but between developing and sustaining a domestic market, unique in character, while seeking all forms of foreign trade in exchange for the things we need and have not, without risking our capacity to produce and supply our own needs for domestic consumption, convenience, and defense.

It is too late to say that America must choose. America made her choice when she elected to follow Hamilton's recommendation and develop domestic manufacturing in-

dustury. Our great cities, our great manufacturing plants are the consequences of that choice. Our present growth and population are its byproducts and, at the same time, the source of the market for our agricultural products. If we attempt now to demolish a structure which we have fostered for over 150 years, which is inherent in the character of the national life we have developed, we shall indeed have an appalling heap of ruins.

Some idea of the preponderant importance of our domestic market as compared with our foreign market may be obtained from the following figures for the year 1929, when exports were at their height as a result of artificial stimulation because of our heavy foreign loans:

United States exports for this year (\$5,157,000,000) amounted to 6 percent of the estimated national income for that year (\$83,032,000,000);

They amounted to scarcely 2.5 percent of our domestic trade in commodities, excluding all transactions on the commodity exchanges (approximately \$200,000,000,000);

They amounted to less than 2 percent of ordinary and original transactions in goods and services in the United States, excluding all transactions on commodity and stock exchanges, direct wage and salary payments (\$275,000,000,000).

They amounted to a little more than 0.5 percent of total bank debits to individual accounts during the same year (\$935,000,000,000).

Even after the elimination of all purely speculative transactions, it is probable that the total value of our exports in 1929 was considerably less than 1 percent of our entire domestic trade.

The significance of these facts was well recognized a year ago, when, through the operations of the N.R.A. and the A.A.A., we embarked on a course of building up our domestic market and price scales to a high level, with the intent of placing embargoes, if need developed, on foreign commodities the influx of which in any way threatened this plan. It is now proposed to dash to the opposite extreme or to operate both plans simultaneously at cross purposes.

I thought in the beginning that Connecticut was due for slaughter under the pending bill. I am now convinced that there is not a single State in the Union which may not be due for slaughter. I am convinced that as great a country as ours cannot permit a single man, no matter how competent and trustworthy, to trade its industries and its agriculture for the benefit of foreign countries and agriculture.

We have not been able to obtain from the administration's sponsors of the bill the details of any of the contemplated operations thereunder. We hear from the administration's leaders in the Senate that the Hawley-Smoot tariff rates, which many of these leaders aided in putting into the law, must be lowered in order to allow the entry of foreign products to permit of the balancing of trade relations between the United States and the rest of the world.

This is very well in theory, but is not practical of operation as long as in this country we prescribe minimum wages under the President's reemployment agreement and the industrial codes, ban child labor, fix maximum and minimum hours of labor, and otherwise seek to maintain our workers on the high plane which our civilization provides.

That this is recognized by the administration is made manifest by the steps being taken to aid coded industries faced with extermination by imports from the cheap-production countries of the world.

We hear the cry of trade barriers, but what are the facts? The domestic production of lead pencils was threatened by an ever-increasing flow of imports from Japan. The domestic manufacturers could not compete, even with the supposedly protective-tariff rate of the Hawley-Smoot law, with pencils which sold to the trade at less than the cost of production in the United States of like articles. Their complaint was found justified, and the Government stepped in and applied a quota to Japan under the provisions of the National Industrial Recovery Act.

The cotton-rug industry truly is threatened with extermination. Whereas 4 years ago the imports from Japan of the highly popular chenille rugs totaled in the neighbor-

hood of 300,000 square yards annually, if the tide be not stemmed this year the total will reach something like 2,000,000 square yards. We are being swamped with hit-and-miss rugs, as a peculiar type of rug is known, but these being in wider use, we are willing to permit as much as 2,000,000 square yards per year to enter the United States.

To permit the unrestricted entry of chenille rugs into the country, even with the payment of the much-criticized Hawley-Smoot tariff rate, would wipe out the investment and employment in that industry. It is reliably reported that the United States Tariff Commission has found that it is desirable, from the standpoint of domestic economy, to limit these importations to a maximum of about 600,000 square yards and necessary to employ an import fee, additional to the tariff, to equalize the difference in production costs at home and in Japan as nearly as possible under the circumstances.

The Orient is not the only section of the world against which we must further protect ourselves. There is another character of cotton rugs that are popular in the United States, known as "cotton orientals." They come from France, Belgium, and Italy, and they are being imported in increasing quantities. So dangerous has become the competition of these imports that, I am reliably informed, the President now has in contemplation the imposition of an import fee additional to the present rate of duty, for the protection of the domestic industry.

These are examples, though not particularly outstanding in character, of the matters with which the President has been called upon to deal—not the President himself, for he has had to delegate these matters to the United States Tariff Commission, a body set up for the specific purpose of dealing with import questions. Public hearings were held at which both the domestic manufacturing and the import interests were permitted to present their cases at length. Some of the rug importers, I am told, were represented at the hearings by James W. Bevans as counsel, one-time Chief of the Customs Bureau in the Treasury.

Some time ago, perhaps even before the National Industrial Recovery Act became operative to the plate-glass industry, the United States Tariff Commission made an investigation of the plate-glass tariff. It has been reported that the results of the study of the Commission experts indicated probable justification for rate reduction. Then came the agreements for minimum wages and maximum hours under the codes. The picture underwent a complete change. Not only was the alleged competitive margin, favorable to the United States, wiped out, but it was made apparent to the President by his advisers that the suggested rate cutting was unwarranted.

I do not understand that the revised report has reached the President. I am told that it will show a need for the maintenance of the present rates for the protection of the industry and the continuance of employment.

I have tried diligently to secure some idea of what commodities are intended for trading. The advocates of this bill will not reveal them specifically; but at the hearing before the Ways and Means Committee the chairman of the Tariff Commission, at the conclusion of his presentation, submitted a list of "dutiable articles more or less competitive with respect to which foreign countries present advantages." Time does not permit a complete review of all of these commodities, or even a considerable proportion of them; but I should think every Member of the Senate would want to look into this list very carefully, for he will find in it commodities in which he is vitally interested. I am going briefly to discuss one or two; and at this point I desire permission to print as an appendix to my remarks a comparative statistical statement, put together by our Department of Labor, showing the relative wages on given articles of manufacture between the chief countries that are now in competition with the United States.

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Without objection, it is so ordered.

(The matter referred to appears at the end of Mr. WALCOTT's remarks.)

Mr. WALCOTT. Watch movements are on this list. The State of Connecticut was the birthplace of American manufacture of the clock and the watch. The State is still a major producer of these commodities, and hundreds of people are employed in their production. Competing countries are Germany, Italy, and Switzerland. Switzerland, I understand, desires to enter into a reciprocal-tariff agreement with the United States. It has watches and clocks to trade for wheat. It also has optical goods and other commodities; but unless the country can make a deal on its clocks and watches there is not much use in negotiating. If the President wants to trade, he will have to trade on these commodities, and the cheap labor of Switzerland, Germany, and Italy will drive the higher-priced labor of Connecticut out of employment, and into what? Probably into agriculture, and the resulting increase of our farm surpluses.

Take silk fabrics, for example, which are also on this list, and of which Connecticut is a large producer. The great Cheney plant of South Manchester is known throughout the world for its silk products, and yet this item appears on the "doomed" list. If the President desires to enter into negotiations with Italy or Japan, he will have to talk silk. The silk code, which was in effect imposed upon the silk industry under the N.R.A., provides for a \$13 minimum-pay rate in the North. That is the very minimum weekly wage which can be paid in a Connecticut mill. As a matter of fact, and as all Senators know, the prevailing weekly wages are much higher.

Now let us look at Japan.

A female silk reeler, on the basis of February 1934 exchange, got 21 cents a day (60 sen); a silk thrower, 94 sen, or 28 cents per day; a silk weaver, 138 sen, or 41 cents per day. England, with a lower wage scale than ours and without an N.R.A., could not stand the competition and was compelled to put an embargo on Japanese goods.

I am informed that the present tariff rates on cotton and silk piece goods and many other commodities produced in quantity by Japan are too low to keep them out, and that particularly with the more wide-spread adherence to the N.R.A. codes and the action of Great Britain, we may look for tremendous Japanese competition; and yet, unless the President will trade on these commodities with Japan there will be no trade. Will his advisers present to him facts and figures which will be designed to convince him that American labor can compete with the 21-cent silk reeler or a 25-cent-a-day cotton spinner in Japan?

I wish time permitted more detailed analyses of some of these comparative wage rates. The figures which I have already given and those which I shall hereafter give concerning Japan are based on the monthly report on current economic conditions published by the Tokyo Chamber of Commerce and Industry and reprinted in the United States Monthly Labor Review of December 1932.

Let us see what Japan would do to our metal industries. A lathe operator in Japan gets 5.23 yen, or \$1.57 per day, based upon February 1934 exchange. A founder gets 3.07 yen, or 92 cents a day; a patternmaker gets 4.42 yen, or \$1.33 per day. No Senator who is familiar with Japanese labor conditions will contend that the daily wages which I have named are for a 6- or 8-hour day or on the basis of a 40-hour week. In many cases they are based on a work-day lasting from sunrise to sunset.

Connecticut is a considerable producer of pocket cutlery, safety razors, dolls and toys, of woven-wire cloth, of cosmetics, toilet preparations, machine-made laces, and many other commodities on this list. Suppose the President decides that he will enter into negotiations with Italy. Italy, as Senators know, is a great industrial country; and her dictator has but recently issued an order which has for its purpose the reduction of wages so as to place "Italy in a better position to compete with other countries in the world market." That is quoted from Mussolini's own speech. On the other hand, we have increased wages and shortened hours. Either Mussolini is wrong or President Roosevelt is wrong with respect to the proper policy to restore national prosperity.

Personally, I applaud the raising of wages and the shortening of hours to a reasonable degree; but it is not difficult for me to see that if Italy is reducing its wages, and if our President makes a tariff agreement with Italy, the American working men and women are certain to lose out. Italy is willing and anxious to export its hats and rayon goods into this country. If the President is not able to trade on rayon, edible nuts, olive oil, and other Italian commodities, Italy will not trade. It does not require unusual vision to foresee the effect of placing the workers of a coded industry in competition with the low-standard workers of Europe and the Orient.

It is not humanly possible for the President to review personally the hardships which will be caused by any treaties which he might negotiate. Even if we were certain of the wisdom of his advisers, we could not, while these great experiments of recovery are being conducted, rightly place in his hands an unwarranted power.

We know that the American manufacturer and farmer are in a hopeless predicament whenever the advisers of the President suggest that a certain industry is a nonessential industry. I cannot review the list of Connecticut industrial and agricultural products without a feeling of deep apprehension when I know that these low-pay foreign countries are straining at their borders, anxious to leap a new tariff barrier and get into a market which, under the reciprocal-tariff plan, would be defenseless to prevent their inroads.

Under section 3 (e) of the National Industrial Recovery Act, the President, on his own motion, or if any labor organization or any trade or industrial association or group which has complied with the N.R.A. requirements shall make complaint that any articles are being imported into the United States in substantial quantities or increasing ratio to domestic production or any competitive article, may cause an immediate investigation to be made by the Tariff Commission. The President may then prescribe the terms, conditions, fee payments, and limitations subject to which these articles may be imported. He may even forbid the importation of such articles unless the importer shall first obtain a license from the Secretary of the Treasury. Domestic producers are just beginning to learn of the existence of that section, and it is being utilized. The question is, Does that section mean anything? Was it a mere bait held out to the domestic producers to secure their approval of the N.R.A.? Does the President mean to nullify the effect of that section through the passage of the reciprocal-tariff bill? American producers are most apprehensive, for they realize that the struggles which they have made to conform to the N.R.A. requirements can be rendered futile by the stroke of a pen.

Even our debased currency offers no protection against the inroads of foreign competition. The President advocated the devaluation of the dollar as a means of opening up new markets abroad for American products. Why, Mr. President, resort to that scheme does not even guarantee our own markets to our own people. This is evidenced by the increase in imports that is noted.

Business is always sensitive to legislation affecting corporations, and suspicious that any legislation directly or indirectly affecting any given industry has been designed to curtail the freedom of action of that industry. This is particularly true during a depression, when business has been crowded down to a low ebb by unfavorable economic conditions.

It would be difficult to think of anything better calculated to put a damper upon the employers and employees of the manufacturing industries of the United States now enjoying protection from the ruinously low labor costs of foreign countries than to throw into the legislative arena at this time a bill which definitely and specifically provides for secret agreements, secretly arrived at, without any opportunity in advance of the conclusion of the agreement for interested parties to have a word to say against the terms of the agreement, knowing full well that the power has been lodged in the hands of one man, who usually knows little of

business, and who may easily be influenced largely by political prejudice.

Let us turn to a copy of the *North American Review* for October 1909 and recall what President Woodrow Wilson said with regard to secret agreements in arriving at tariffs:

It is the policy of silence and secrecy, indeed, with regard to the whole process that makes it absolutely inconsistent with every standard of public duty and political integrity.

That expression appears toward the close of a learned article considering how futile secret methods of approach always have proved to be with relation to tariff agreements.

This bill makes it possible for the President of the United States to declare operative an arrangement called a "reciprocal agreement" with any competitor nation on earth whereby any home industry in this country may be deprived of one-half of the protection which that industry is now enjoying.

Suppose any of the hundreds of items manufactured in New England in the brass or copper industry: the small hardware and cutlery industry; woodworking and machine tools; spare parts for automobiles, like radiators, meters, springs, clocks, and wire wheels; watches; laces; manufactured silks, all now enjoying reasonable protection, but not now making even reasonable profits, should be attacked by having 50 percent of their protection which now exists ruthlessly removed. What would become of these industries? They could no longer exist. The resulting loss to the employees and to the communities in which they are located would be disastrous.

The point I wish to emphasize in all this is the pall of uncertainty, like a black cloud, which this bill would spread over the industry of these United States, still bordering upon panic, still unable to completely throw off the fear caused by the nightmare of depression from which it is still struggling to emerge. I repeat, that I can think of nothing so perfectly calculated to paralyze New England's industries with fear as the dread uncertainties this proposed legislation would create, and I personally believe that some of the uncertainties would be converted into realities.

Let us look for a moment at the other side of this picture, to which allusion was frequently made during the hearings before the Finance Committee, the possibility of raising duties upon articles of necessity which are not produced in this country. This advance or increase in tariff might amount to 50 percent, just as the reduction might amount to 50 percent, without the approval of Congress, which was set up by our Constitution as a regulatory body, a balance wheel, a brake upon the usurpation of autocratic powers by the President.

The enactment of this bill would reverse a long-established American tariff policy. With the exception of certain concessions to Cuba, we have made no discriminations among foreign nations with respect to the tariff over a long period. This policy has saved us from trade wars of the sort which, in foreign countries, have led to the most severe international entanglements. They have resulted in complications in the relations of the countries of Europe which have added to the flames of an all too threatening universal discord and struggle.

It must be remembered that agricultural products would be in the front line of those to be affected by negotiations of the sort contemplated. If their effect should be to drive the industrial workers to the farms and the farmers away from the farms, it is difficult to see just how we should find occupations for that portion of our working population that is even now idle.

As a practical proposition, the attempts to establish a reciprocal tariff system have proved rather futile in the past. Before our present policy of international impartiality with reference to tariff rates was adopted, 22 reciprocal tariff treaties were under consideration at one time or another in our history. Our own Congress refused to confirm 16 of these. The foreign governments affected refused to confirm two more of them. In the case of our one previous experience in negotiating such treaties without the requirement of

congressional confirmation, 22 treaties were successfully negotiated, only to be repealed after a short time by subsequent tariff acts. When it comes to the point of actually taking the step of ruining a domestic industry, the obvious immediate disadvantage is apt to prevent its consummation. This seems to leave us the choice of either ruin to a particular industry or ineffectiveness.

It seems needless to say that the very uncertainty that would overhang the possible negotiations would probably act as an additional pall over the reestablishment of normal business relations, which have already had too many setbacks, and which it is our aim to encourage in every way. Without actually creating new outlets for industry, we would be continually creating shifts which would add to our industrial chaos and only tend to send industry back into its shell. It would be one more experiment of the type of which we have been witnessing a continuous succession, with little more resultant improvement than was to be expected in the natural course of events, and no more than other countries which have not resorted to experimentation have experienced.

There is one experiment we have not tried since business has definitely turned the corner. That is, leaving it alone for a little while to solve its own destiny. If this experiment were given the trial that has been given innumerable others, I suspect that it might show the most gratifying results of any of them.

I cannot bring my remarks to a close without reemphasizing the very strong objections to the inadequacy of the provision calling for a public hearing. This provision has been drawn stipulating only that public notice shall be given of the intent to negotiate a treaty with a foreign country or instrumentality thereof. In our history we could point to many statutes containing similar provisions. In fact, the tariff act contains a provision similar to the one proposed and under a long line of decisions of our customs tribunals. It has been held sufficient, when the collector of customs posts a notice of the liquidation of an entry on a bulletin board of the customhouse, to start the time running within which the interested parties must appeal to the courts for a review of the collector's decision or lose the right to appeal. This kind of notice, as I have stated, the courts have sustained as sufficient, but if it was the intent of the proponents of this bill to provide a real hearing to the parties interested, let me point to a precedent in the Tariff Act of 1930. In section 336, the flexible-tariff provision, we provided:

The Commission, * * * upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article. In the course of the investigation the Commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence and to be heard at such hearings. The Commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section.

Section 4 of the proposed bill contains a provision in comparable language, yet the line of decisions I have referred to certainly would not apply, and I daresay that no court would compel a complete disclosure of the commodities to be treated or would guarantee to the parties interested a reasonable opportunity to be heard and present evidence.

The foregoing shows clearly that the provision in section 4 of this act is not even as specific as the provision relating to hearings in the Tariff Act of 1930, for this bill only provides for—

Such public notice of the intention to negotiate an agreement with such government or instrumentality (thereof) shall be given in order that any interested person may have an opportunity to present his views to the President or to such agency as the President may designate under such rules and regulations as the President may prescribe.

This means that a producer, frightened by a public notice of the intention to negotiate an agreement with a foreign government involving some item of commerce which he was manufacturing or raising, might come to Washington and express his fears without knowing the terms which were to

be discussed or anything about the proposed agreement, sounding his alarms in the dark. There is not one word in this bill to compel the President, in his public notice, to disclose the commodities to be covered by a proposed treaty with any particular country or to disclose the items on the other side of the trade or to give more than 1 day's notice. In a word, an aggrieved farmer or manufacturer would have nothing to talk of but his fears and might consider himself fortunate if he had time enough to reach Washington, under the notice provision, to present these; and he would probably be compelled by the rules and regulations of the President to present these fears to some obscure commission or person who would give him scant attention, for he would have nothing specific to talk about. Section 4 of this bill is the rag to be tied over the eyes of the farmer, the manufacturer, and the workingman in a game of blindman's buff.

The history of our various attempts at reciprocal trade agreements, the spirit of intense nationalism which has entered the body politic of every civilized nation of the earth as an aftermath of the World War, the insurmountable trade barriers which have completely sectionalized Europe and split Europe into so many small countries, most of them not as large as many of our States, with the Chinese walls of bitter racial persecutions and intense national rivalries, all indicate that this bill is peculiarly ill-timed and cannot be made to work to our advantage. I regret that this is true. It is a sad admission, but a fact; and it would be unwise to attempt to do now what might have proved a great boon to our foreign relations and trade if it had been successful when tried 30 and 40 years ago; unwise because of the shock to industry, still emaciated and trembling from the blow of economic depression.

I repeat my request for the printing in the RECORD of a list I have received from the Department of Labor giving a comparison of wages paid in the United States and in foreign countries, in order to substantiate my contentions with regard to the need of protection for American wage levels.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

UNITED STATES DEPARTMENT OF LABOR,
BUREAU OF LABOR STATISTICS,
Washington.

WAGES IN THE COTTON, SILK, PORCELAIN, AND ELECTRICAL INDUSTRIES
OF THE UNITED STATES AND FOREIGN COUNTRIES

The accompanying tables show the latest statistics available relative to wages and hours in the cotton, silk, porcelain, and electrical industries of the United States and foreign countries. Insofar as possible, statistics have been supplied for recent years, with the exception of the pottery and electrical industries of the United States, the latest studies in these industries having been made by the Bureau of Labor Statistics in 1925 and 1927, respectively. It should also be noted that the wage data furnished for the electrical industry in the United States cover only the manufacture of fractional horsepower motors, no general study of wages in the electrical industry having been made.

Throughout the tables wages are shown in the currency of the respective countries covered as well as in United States currency. In all instances conversions into United States currency have been made at the par of exchange and notations are made in the tables indicating the exchange rate of particular currencies that have fluctuated widely from par, as, for example, in the case of the British pound, having a par value of \$4.866 and an average exchange rate of \$3.396 in October 1932.

The material presented has been assembled from original wage studies made and published by the Bureau of Labor Statistics and from reports covering wages in foreign countries furnished in large part by American consular representatives abroad and published in the Monthly Labor Review.

Denmark: Average hourly earnings and normal hours per week in the ceramic industry, 1930

[Conversion into United States currency at par, øre=0.268 cent]

	Native currency	United States currency	Hours per week
Copenhagen:	Øre		
Skilled workers.....	171	\$0.458	48
Unskilled workers.....	132	.354	48
Female workers.....	99	.265	48
Provinces:			
Skilled workers.....	137	.367	48
Unskilled workers.....	109	.292	48
Female workers.....	73	.196	48

Austria: Actual hourly wages and normal hours per week in the porcelain industry, 1931

[Conversions into United States currency made at par, schilling=14.07 cents]

	Native cur- rency	United States currency	Hours per week
	Schillings		
Skilled workers.....	0.85-0.96	\$0.12-\$0.13	48
Skilled helpers.....	.72-.81	.10-.11	48
Unskilled helpers.....	.63-.77	.09-.11	48
Female helpers.....	.42-.51	.06-.07	48

United States: Earnings and hours in pottery industry (vitreous ware), 1925

	Average earnings per hour	Average hours worked in 2 weeks
Ware carriers, male.....	\$0.354	91.0
Stampers, gold, female.....	.235	74.6
Gilders and liners:		
Male.....	.893	83.1
Female.....	.634	71.4
Cutters, decalcomania, female.....	.263	83.3
Transferers, decalcomania and print, female.....	.332	77.7
Printers, male.....	.766	79.7
Kiln placers and drawers, decorating, male.....	.619	86.4
Firemen decorating.....	.553	118.5
Burnishers, female.....	.448	71.7
Wrappers, female.....	.233	84.7
Straw boys.....	.354	73.9
Packers:		
Male.....	.654	86.4
Head, male.....	1.144	94.4
Other employees:		
Male.....	.517	89.0
Female.....	.283	80.4
Total, male.....	.638	83.5
Total, female.....	.329	77.4
Total, male and female.....	.521	81.1

United States: Average hourly earnings and hours worked in 2 weeks in the pottery industry (vitreous ware), 1925

	Average earnings per hour	Average hours worked in 2 weeks
Slip makers, male.....	\$0.727	106.1
Laborers, slip house, male.....	.526	88.1
Mold makers, male.....	1.014	81.2
Clay carriers, male.....	.463	86.9
Batters-out, male.....	.414	78.4
Jigger men.....	.898	82.1
Mold runners, male.....	.398	71.2
Finishers, male.....	.478	77.9
Finishers, female.....	.395	77.2
Dish makers, male.....	.821	89.7
Turners, male.....	.857	77.5
Turners' spongers:		
Male.....	.292	84.4
Female.....	.273	63.3
Handlers, male.....	.922	89.2
Handle casters and finishers:		
Male.....	.365	80.2
Female.....	.397	84.2
Casters, male.....	.815	89.5
Pressers, male.....	.887	91.5
Laborers, sagger shop, male.....	.481	90.0
Sagger makers, hand, male.....	1.010	65.2
Sagger makers' helpers, hand, male.....	.681	89.5
Sagger makers, machine, male.....	.935	83.4
Kiln placers:		
Bisque, male.....	1.002	62.9
Boss, bisque, male.....	1.249	66.5
Firemen, bisque and glost.....	.627	128.2
Kiln drawers, bisque and glost, male.....	.678	72.6
Kiln drawers, boss, bisque, and glost, male.....	.810	65.0
Laborers, kiln shed, male.....	.482	84.7
Drawers (in warehouse) bisque and glost, female.....	.300	73.6
Brushers, female.....	.285	79.7
Stampers, bisque, female.....	.272	76.2
Glaze mixers, male.....	.551	95.8
Glaze mixers' helpers, male.....	.475	97.8
Ware boys.....	.472	77.6
Dippers, male.....	.917	79.6
Dippers' helpers:		
Male.....	.369	75.6
Female.....	.330	79.6
Kiln placers:		
Glost, male.....	.964	71.3
Boss, glost, male.....	1.078	78.1
Dressers:		
Male.....	.503	89.9
Female.....	.263	70.8
Warehousemen.....	.531	94.7

Czechoslovakia: Average hourly rates of wages and normal hours per week in the silk, velvet, and velveteen industry, 1931

[Conversions into United States currency made at par, crown=2.96 cents]

	Native currency	United States currency	Average hours per week
	<i>Crowns</i>		
Thread makers	2.21-2.33	\$0.035-\$0.060	48
Labelers, spinners, workers in storehouses	2.30-2.42	.068-.072	48
Workers on silk material, ribbons, etc.	2.38-2.50	.070-.074	48
Workers on velvet and velveteen	2.88-3.00	.085-.089	48
Spooler, tenders, and auxiliary workers in spinning factories:			
Up to 20 years of age	1.88-1.98	.056-.059	48
Over 20 years of age	2.05-2.26	.061-.067	48
Cloth cleaners	1.83-1.92	.053-.057	48
Carpenters and locksmiths	2.62-3.50	.078-.104	48
Charwomen	1.71-2.09	.051-.062	48
Day laborers	1.83-2.27	.053-.067	48
Day laborers, heavy work	2.31-2.43	.068-.072	48
Dyers:			
Skilled	2.65-3.17	.078-.094	48
Assistants:			
Men	2.05-2.98	.061-.088	48
Women	1.89-2.34	.056-.069	48
Stokers and machine operators	2.48-2.96	.073-.088	48

France: Average hourly wages and normal hours per week of potters, 1931

[Conversion into United States currency at par, franc=3.92 cents]

	Native currency	United States currency	Hours per week
	<i>Francs</i>		
Potters	3.83	\$0.15	48

France (Lyon district): Average hourly rates of wages in the silk industry, 1931

[Conversions into United States currency made at par, franc=3.92 cents]

	Native currency	United States currency	
	<i>Francs</i>		
Weaving:			
Bobbin winders, female	2.75	\$0.110	
Reelers, female	2.75	.110	
Warper, female	3.25	.130	
Weavers:			
Male	4.00	.160	
Female	3.25	.130	
Loom fitters:			
Male	11,250.00	49,000	
Apprentice	1,700.00	27,440	
Dyeing:			
Dyers, male	5.50-6.00	.220-.240	
Printers, male	5.75-6.00	.230-.240	
Finishing:			
Finishers, male	4.00	.160	
Laborers, male	1,600.00	23,520	

¹ Per month.

Italy: Average hourly wages and normal hours per week in the pottery industry, 1929

[Conversions into United States currency at par, lira=5.26 cents]

	Native currency	United States currency	Hours per week
	<i>Lira</i>		
Foremen and chiefs	3.87	\$0.204	48
Mold makers, working in plaster:			
Males	2.89	.152	48
Females	1.81	.095	48
Shapers, hand and machine:			
Males	2.63	.133	48
Females	1.44	.076	48
Painters:			
Males	2.47	.130	48
Females	1.21	.064	48
Decorators:			
Males	2.43	.128	48
Females	1.40	.074	48
Kilnmen and furnace men	2.85	.150	48
Laborers:			
Males	1.95	.103	48
Females	1.65	.087	48
Helpers, apprentices:			
Males	1.15	.061	48
Females	.84	.044	48
Other classes (preparers of paint and glaze, ware-housemen, shippers, sorters, truckmen, shopmen, general services)	2.26	.119	48
Other departments	2.93	.154	48
Average	2.12	.112	48

Italy: Hourly wages, excluding overtime wages, and normal hours per week, 1929

[Conversions into United States currency at par, lira=5.26 cents]

	Native currency	United States currency	Hours per week
	<i>Lira</i>		
Silk dyeing:			
Department foremen	5.27	\$0.277	48
Dye works:			
Males	2.89	.152	48
Females	1.87	.098	48
Printing work	2.49	.131	48
Dressing and finishing:			
Males	2.79	.147	48
Females	1.78	.094	48
Other departments	2.09	.110	48
General services (firemen, etc.)	3.29	.173	48
Total	2.72	.143	48

Italy (Milan district): Minimum daily wages per 8-hour day in the silk-twisting and spinning industry, 1932

[Conversion into United States currency at par, lira=5.26 cents]

	Native currency	United States currency	
	<i>Lira</i>		
Spinning mills:			
Apprentice, female	3.04	\$0.160	
Cocoon sweeper, female	3.50-4.00	.184-.210	
Journeymen	4.37-4.83	.230-.254	
Spinner, female	5.34	.281	
Skilled spinner, female	5.80	.305	
Assistant spinning expert	8.00	.421	
Cocoon selector, female	4.51	.236	
Knitter, female	5.11	.269	
Yarn tester, female	5.89	.310	
Workers passing silk in soda bath, female	5.70	.300	
Folders, female	5.89	.310	
Foremen, repassers	6.35	.334	
Waste collector:			
Male	9.38	.493	
Female	4.83	.254	
Mechanics, carpenters	12.70	.668	
Stokers	1,362.85	119,086	
Nonqualified worker:			
Male	7.87-9.11	.414-.479	
Female	4.23-4.83	.222-.254	
Twisting mills:			
Apprentice, female	3.04	.160	
Skilled testers, female	5.15	.271	
Skilled cleaner, female	5.29	.278	
Tester and cleaner, female	5.24	.276	
Worker on doubling frame, female	5.80	.305	
Winder, female	5.80	.305	
Spool worker, female	5.80	.305	
Silk throwing:			
Male	9.66-10.58	.508-.557	
Female	5.98	.315	
Skinner, female	5.34	.281	
Overseer, female	5.84	.307	
Hand folder, female	5.98	.315	
Forewomen	8.37	.440	

¹ Monthly wages.

Germany: Average agreement hourly wage rates and normal hours per week in the china and earthenware industry, 1931

[Conversions into United States currency at par, pfennig=0.238 cent]

	Native currency	United States currency	Hours per week
	<i>Pfennigs</i>		
Skilled workers, male	82.1	\$0.195	48
Skilled workers, female	50.4	.120	48
Helpers, male	68.2	.162	48
Helpers, female	42.0	.100	48

Germany: Average hourly earnings and working hours per week in the silk-weaving industry, 1930

[Conversions into United States currency made at par, pfennig=0.238 cent]

	Native currency	United States currency	Average working hours per week
	<i>Pfennigs</i>		
Weavers:			
Male	89.2	\$0.212	45.89
Female	78.7	.187	42.67
Assistants:			
Male, over 20 years	72.7	.173	43.56
Female, over 20 years	68.0	.158	47.03

Great Britain: Minimum weekly rates of wages and normal working hours in the pottery industry, 1931

[Conversions into United States currency made at par, pound=\$4.866. The average exchange rate of the pound in October 1932 was \$3.396]

	Native currency		United States currency	Average hours per week
	Shillings	Pence		
Male workers:				
Enginemen.....	52	6	\$12.76	47
Stokers.....	47	6	11.54	47
Laborers.....	43	0	10.45	47
Female workers:				
Warehouse workers in all sections.....	25	0	6.08	47
Electrical fittings section:				
Pressers, fettlers, dippers, cleaners, printers, decorators, and transferers.....	25	6	6.20	47
Glost and biscuit placers, working with men in placing houses.....	27	0	6.56	47
Dipping-house workers (except dippers, scourers and electrical ware cleaners).....	27	0	6.56	47
Earthenware potters' attendants and tile-trade attendants:				
Mold runners (18 years old and over).....	19	0	4.62	47
Other potters and tile-trade attendants.....	25	0	8.08	47
Enamellers and gilders.....		1 7½	1.15	47
Litho transferers.....		1 6¼	1.14	47

¹ Minimum hourly rate.

Great Britain: Weekly time rates of wages in the silk industry, 1931

[Conversions into United States currency made at par, pound=\$4.866. The average exchange rate of the pound in October 1932 was \$3.396]

	Native currency		United States currency
	Shillings	Pence	
LEEK			
Pickers.....	44	-----	\$10.602
Braid workers, spinners, throwers, and reelers.....	46	-----	11.178
Braid speeders and knitting tacklers.....	51	-----	12.393
Weavers.....	51	-----	12.393
Mechanics.....	64	-----	15.552
Dyers and glossers:			
22 years of age.....	48	-----	11.664
22½ years of age.....	49	6	12.027
Dyers and glossers with no experience:			
First month.....	37	6	9.111
Rising monthly to tenth month.....	51	-----	12.393
Dyers mixers:			
First year.....	51	-----	12.393
Second year.....	52	-----	12.636
Third year.....	53	-----	12.879
Fourth year.....	59	-----	14.337
Dyeing-machine men:			
1 man to 1 machine.....	51	6	12.513
2 men to 3 machines.....	52	6	12.756
1 man to 2 machines.....	53	6	12.999
MACCLESFIELD			
Men:			
Soft-silk trade:			
Power loom overlookers.....	65	-----	15.795
Harness builders, warehousemen, etc.....	52	-----	12.636
Other workers.....	50	-----	12.150
Thrown- or hard-silk trade:			
Throwing-mill men.....	45	-----	10.935
Overlookers.....	50	-----	12.150
Spinners, single thread.....	33	-----	8.019
Spinners, twofold.....	35	-----	8.505
Dyers and finishers (22 years and over).....	50	-----	12.150
Hand loom weavers.....		19	1.180
Designers.....	73-76	-----	17.739-18.463
Card cutters.....	54	-----	13.122
Women:			
Soft silk trade (20 years and over):			
Manufacturing section:			
Winders and pickers.....	28	-----	6.804
Warpers and twisters.....	31	6	7.653
Making-up section.....	28	-----	6.804
Small ware department.....	28	-----	6.804
Embroidery section:			
Hand-machine threaders.....	28	-----	6.804
Hand-machine minders.....	28	-----	6.804
Schiffli-machine minders.....	29	-----	7.047
Knitting section.....	30	6	7.410
Finishing section.....	29	-----	7.047
Thrown-silk trade (20 years and over):			
Knotters, doublers, drummers and reelers.....	29	6	7.167
Parters.....	30	6	7.410
Daners.....	30	-----	7.290
Winders and cleaners.....	28	-----	6.804
Spinners, single thread.....	31	-----	7.533
Spinners, twofold.....	33	-----	8.019
Dyers and finishers (18 years and over).....	28	10	7.004

¹ Per hour, plus 70 percent.

Japan: Average basic daily wage in the pottery industry

[Conversions into United States currency made at par, yen=50 cents]

	Native currency	United States currency
Potters:	Yen	
Tokyo (1932).....	1.77	\$0.885
Nagoya (1931).....		1.555-1.415
Painters (1931).....		.595-1.700

¹ Per 10-hour day.

Spain: Average hourly wages in the pottery and ceramic industry, 1931

[Conversions into United States currency at par, peseta=19.3 cents]

	Native currency	United States currency
BARCELONA DISTRICT		
Potters:	Pesetas	
Experts, overseers, and foremen.....	1.13	\$0.218
Master workmen.....	1.00	.193
Peons.....	.45	.087
Apprentices.....	.38	.073
Ceramics workers:		
Experts, overseers, and foremen.....	1.75	.338
Master workmen.....	1.00	.193
Assistants.....	.88	.170
Porcelain workers:		
Experts, overseers, and foremen.....	1.75	.338
Master workmen.....	1.06	.205
Peons.....	.70	.135
VALENCIA DISTRICT		
Pottery:		
Oven packers and firers.....	12.00-14.00	2.32-2.70
Turners.....	7.50-15.00	1.45-2.90
Decorators, female.....	3.00-6.50	.58-1.25
Tiles:		
Oven packers and tenders.....	12.00-14.00	2.32-2.70
Press operators.....	10.00	1.93
Journeyman.....	9.00	1.74
Apprentices.....	1.50	.29
Helpers.....	5.50	1.03

Sweden: Average hourly earnings and normal hours per week in porcelain, tile, and clay works

[Conversions into United States currency made at par, krona=26.8 cents. The average exchange rate of the krona in October 1932 was 17.53 cents]

	Native currency	United States currency	Hours per week
SWEDEN (1931)			
Porcelain, tile, and clay works:	Kronor		
Men.....	1.19	\$0.319	48
Women.....	.71	.190	48
SWEDEN, GÖTEBORG DISTRICT (1929)			
China-ware factories:			
Men:			
Timework.....	1.06	.284	48
Piecework.....	1.26	.338	48
Women:			
Timework.....	.53	.142	48
Piecework.....	.73	.196	48

United States: Average hourly earnings and full-time hours per week in the manufacture of fractional horsepower motors, 1927

	United States currency	Average full-time hours per week
Assembling:		
Armature winders, male.....	\$0.568	49.0
Armature winders, female.....	.426	47.8
Assemblers, final, male.....	.644	48.8
Assemblers, final, female.....	.374	49.1
Assemblers, sub, male.....	.586	49.0
Assemblers, sub, female.....	.428	47.9
Coil winders, male.....	.421	49.3
Coil winders, female.....	.430	48.2
Inspectors and testers, male.....	.657	49.2
Inspectors and testers, female.....	.456	48.1
Packers, male.....	.540	48.5
Packers, female.....	.362	50.2
Repairers, male.....	.569	49.2

United States: Average hourly earnings and full-time hours per week in the manufacture of fractional horsepower motors, 1927—Continued

	United States currency	Average full-time hours per week
Foundry:		
Chippers.....	\$0.547	47.2
Core makers.....	.874	46.3
Cupola tenders.....	.729	53.0
Molders.....	.885	47.4
Pattern makers.....	.936	48.8
Machine shop:		
Boring mill hands and operators, male.....	.730	50.0
Drill-press hands and operators, male.....	.596	48.8
Drill-press hands and operators, female.....	.431	47.2
Grinding-machine hands and operators, male.....	.703	48.4
Lathe hands and operators, male.....	.709	48.7
Machine hands and operators, general, male.....	.594	49.5
Machine setters, male.....	.703	48.6
Machinists, male.....	.684	49.2
Milling-machine hands and operators, male.....	.658	48.8
Polishers and buffers, male.....	.749	50.2
Punch-press hands and operators:		
Male.....	.621	49.2
Female.....	.374	48.2
Riveters (hydraulic press), male.....	.739	48.3
Screw-machine hands and operators, male.....	.678	49.0
Toolmakers, male.....	.807	49.4
Welders, male.....	.595	47.8
Unclassified:		
Laborers, general, male.....	.493	48.7
Other employees:		
Male.....	.632	48.7
Female.....	.448	48.0
All employees:		
Male.....	.642	48.9
Female.....	.429	48.0
All employees, male and female.....	.586	48.6

Austria (Vienna district): Minimum weekly wages in the electric-bulb industry, 1930

[Conversions into United States currency made at par, schilling=14.07 cents]

	Native currency	United States currency
	Schillings	
Skilled workers, after 3 years.....	58.10	\$7.89
Skilled helpers, over 24 years.....	50.40	7.09
Unskilled helpers, over 24 years.....	45.12	6.35
Workers, female, over 20 years.....	28.80	4.05

France (Paris district): Average hourly wages in the electrical-construction industry, 1932

[Conversions into United States currency made at par, franc=3.92 cents]

	Native currency		United States currency	
	Time workers	Piece workers	Time workers	Piece workers
	Francs	Francs		
Fitters.....	5.65	6.47	\$0.221	\$0.254
Fitters, toolmakers.....	6.52	7.16	.256	.281
Electrical fitters.....	5.62	6.39	.220	.250
Coil winders.....	5.57	6.27	.218	.246
Electricians, factory installations.....	5.59	6.31	.219	.247
Electricians, outside installations.....	5.84229
Lathe hands.....	5.88	6.60	.230	.262
Lathe and tool hands.....	6.85	7.18	.269	.281

Germany: Average hourly earnings and hours per week in the electrical-apparatus industry, 1928

[Conversions into United States currency made at par, pfennig=0.238 cent]

	Native currency		United States currency		Average hours per week	
	Time-work	Piece-work	Time-work	Piece-work	Time-work	Piece-work
	Pfennig	Pfennig				
Skilled workers.....	113.2	124.0	\$0.269	\$0.295	49½	47½
Semiskilled workers.....	89.3	108.3	.213	.258	49½	46½
Helpers.....	81.5	95.3	.194	.227	49	47½
Female workers.....	59.3	66.8	.141	.159	45½	46½

Italy: Average hourly wages, excluding overtime wages, in the electrical industry, 1929

[Conversions into United States currency made at par, lira=5.26 cents]

	Native currency	United States currency
	Lira	
Foremen, shop turn or group.....	4.85	\$0.255
Qualified workers.....	3.60	.189
Ordinary workers.....	3.05	.160
Helpers.....	2.58	.136
Laborers, watchmen.....	2.35	.124
Other classes.....	2.44	.123
Miscellaneous.....	1.97	.104
Total.....	3.01	.158

United States: Average hourly earnings and full-time hours per week in the silk and rayon goods industry, 1931

	Average earnings per hour	Average full-time hours per week
Winders, yard silk:		
Male.....	\$0.267	51.9
Female.....	.293	50.1
Doublers:		
Male.....	.350	58.9
Female.....	.287	50.3
Spinners:		
Male.....	.344	54.2
Female.....	.289	50.2
Reelers:		
Male.....	.319	46.8
Female.....	.287	49.8
Laborers, dye-house, male.....	.479	52.0
Winders, rayon:		
Male.....	.375	55.0
Female.....	.295	52.5
Winders, soft silk:		
Male.....	.319	57.3
Female.....	.340	49.2
Redrawers:		
Male.....	.197	52.7
Female.....	.243	50.4
Warpers:		
Male.....	.648	51.1
Female.....	.476	50.4
Quillers:		
Male.....	.250	54.2
Female.....	.265	50.0
Coners:		
Male.....	.323	52.1
Female.....	.278	50.4
Enterers:		
Male.....	.414	51.7
Female.....	.387	50.8
Enterers' helpers:		
Male.....	.246	51.5
Female.....	.260	50.8
Twisters-in, hand:		
Male.....	.634	49.7
Female.....	.428	50.6
Twisters-in, machine:		
Male.....	.615	50.7
Female.....	.440	51.5
Loom fixers, male.....	.746	51.0
Bobbin boys, male.....	.222	51.4
Weavers, broad-silk:		
Male.....	.499	51.2
Female.....	.422	49.6
Weavers, ribbon:		
Male.....	.558	47.3
Female.....	.444	48.2
Smash hands:		
Male.....	.538	51.5
Female.....	.409	52.1
Pickers, cloth:		
Male.....	.260	52.0
Female.....	.270	49.8
Inspectors, cloth:		
Male.....	.538	51.1
Female.....	.327	50.6
Packers:		
Male.....	.355	49.8
Female.....	.263	49.5
Other employees:		
Male.....	.434	51.5
Female.....	.276	50.0
All employees:		
Male.....	.485	51.5
Female.....	.335	50.0
All employees.....	.406	50.7

Switzerland: Average daily earnings and normal hours per week in the stone and earth industry, 1930

[Conversions into United States currency made at par, franc=19.3 cents]

	Native currency	United States currency	Hours per week
	Francs		
Foremen	15.64	\$3.02	48
Skilled and semiskilled	12.40	2.39	48
Unskilled	9.42	1.82	48
Women aged 18 and more	5.26	1.02	48
Young persons under 18 years of age	5.39	1.04	48

Czechoslovakia (Prague district): Basic hourly wage rates and hours per week in the cotton and flax industry, 1931

[Conversions into United States currency made at par, crown=2.96 cents]

	Native currency	United States currency	Average hours per week
	Crowns		
Cotton spinning:			
Spinners	2.37-2.75	\$0.070-\$0.081	48
Machine tenders	1.90-2.20	.056-.065	48
Doffers	1.25-1.90	.037-.056	48
Spinners:			
Ring frames	1.40-2.35	.041-.070	48
Fly frames	1.75-1.83	.052-.054	48
Drawing frame tenders	1.70-1.90	.050-.056	48
Card tenders	1.70-2.50	.050-.074	48
Opener tenders	1.80-2.00	.053-.059	48
Roving haulers	1.85	.055	48
Ticketers	1.65	.049	48
Knotters	1.50-1.65	.044-.049	48
Spooler tenders	1.70	.050	48
Winder tenders	1.70	.050	48
Oilers and lamplighters	1.90-2.00	.056-.059	48
Skilled cleaners of carding and combing machines	2.37	.070	48
Sweepers	1.50	.044	48
Section hands	1.80	.053	48
Helpers, day:			
Male	1.15-1.90	.034-.056	48
Female	1.10-1.60	.033-.047	48
Cotton and flax weaving:			
Weavers of goods	1.75-2.40	.052-.071	48
Design weavers	2.27½	.067	48
Spooler tenders	1.50-1.65	.044-.049	48
Warpers	1.75-2.27½	.052-.067	48
Creelers	1.83	.054	48
Warpers and creelers, 1st year	1.50	.044	48
Women, embroidery machines	1.65	.049	48
Loom cleaners	1.60	.047	48
Oilers over 18 years of age	1.90	.056	48
Stock keepers	2.27½	.067	48
Size makers	2.27½	.067	48
Beamer tender helpers	2.00	.059	48
Section hands	2.50	.074	48
Expert workers, inspectors of goods	2.27½	.067	48
Measurers	2.00	.059	48
Twisters-in and winders	1.50-1.65	.044-.049	48

United States: Average hourly earnings and full-time hours in the cotton-goods manufacturing industry, 1932

	United States currency	Average full-time hours per week
Picker tenders, male	\$0.233	53.8
Card tenders and strippers, male	.252	53.9
Card grinders, male	.336	53.8
Roving men, male	.204	53.8
Drawing frame tenders:		
Male	.230	54.3
Female	.222	53.0
Slubber tenders:		
Male	.291	53.9
Female	.308	51.3
Speeder tenders:		
Male	.273	54.2
Female	.296	51.5
Spinners:		
Mule, male	.603	50.9
Frame:		
Male	.214	53.6
Female	.213	53.6
Doffers:		
Male	.253	53.9
Female	.273	52.6
Spooler tenders:		
Male	.201	53.3
Female	.207	53.3
Creelers:		
Male	.214	54.2
Female	.207	53.2
Warper tenders:		
Male	.273	53.6
Female	.264	52.6

United States: Average hourly earnings and full-time hours in the cotton-goods manufacturing industry, 1932—Continued

	United States currency	Average full-time hours per week
Beamer tenders:		
Male	\$0.364	53.3
Female	.348	53.8
Slasher tenders, male	.324	53.5
Drawers-in, hand:		
Male	.300	51.6
Female	.269	53.2
Drawing-in machine tenders:		
Male	.366	52.5
Female	.305	52.7
Warp tying machine tenders, male	.336	53.7
Loom fixers, male	.403	53.4
Filling hands:		
Male	.198	54.3
Female	.192	54.0
Weavers:		
Male	.314	53.1
Female	.307	52.0
Smash piecers:		
Male	.272	53.9
Female	.266	54.2
Trimmers or inspectors:		
Male	.250	54.5
Female	.202	53.1
Second hands, male	.450	53.5
Section hands, male	.326	53.7
Other employees:		
Male	.248	53.7
Female	.203	52.9
All employees:		
Male	.284	53.7
Female	.234	53.0
Male and female	.266	53.4

France (Lille district): Average hourly wage rates and hours per week in the cotton and wool industry, 1931

Cotton and wool industry	Native currency	United States currency	Average hours per week
	Francs		
Combing:			
Greasers, male	3.00-3.44	\$0.118-\$0.135	48
Card cleaners, male	3.24-3.42	.127-.134	48
Washers, male	3.01-3.23	.118-.127	48
Washers' helpers, male	3.00-3.18	.118-.125	48
Polishers:			
Male	3.09-3.38	.121-.132	48
Female	2.58-2.73	.101-.107	48
Deobstructors, male	3.07-3.18	.120-.125	48
Combers:			
Male	3.08-3.11	.121-.122	48
Female	2.58-2.69	.101-.105	48
Drawers:			
Male	3.00-3.07	.118-.120	48
Female	2.51-2.57	.098-.101	48
Tank emptiers:			
Male	3.00	.118	48
Female	2.51-2.57	.098-.101	48
Finishers:			
Male	3.00-3.11	.118-.122	48
Female	2.51-2.57	.098-.101	48
Utility men	3.00-3.24	.118-.127	48
Packers, male	3.00-3.58	.118-.140	48
Bundlers:			
Male	3.16	.124	48
Female	2.51-2.64	.098-.103	48
Wheelbarrowers, male	3.00-3.08	.118-.121	48
Winders:			
Male	3.00	.118	48
Female	2.51	.098	48
Beaters, male	3.00-3.23	.118-.127	48
Dryers:			
Male	3.00	.118	48
Female	2.51	.098	48
Burr removers:			
Male	3.00	.118	48
Female	2.51	.098	48
Spinning:			
Spinners, male	4.65	.182	48
Attachers, male	3.96	.155	48
Helpers, under 18 years	1.77	.069	48
Preparation attendants, female	2.79	.109	48
Ring-frame attendants, female	3.07	.120	48
Helpers, spinning-ring frames, female	1.76	.069	48
Twisting-ring-frame attendants, female	2.90	.114	48
Winders, doublers, twisters, female	2.73	.107	48
Breakers, female	3.07	.120	48
Utility men	3.00	.118	48
Carded spinning:			
Spinners, male	4.65	.182	48
Adjusters, male	4.18	.164	48
Attachers:			
Male	4.04	.158	48
Female	3.26	.128	48
Helpers, under 18 years	1.83	.072	48
Card attendants, male	3.44	.135	48
First-card cleaners, male	4.10	.161	48
Second-card cleaners, male	3.91	.153	48
Mixers, male	3.34	.131	48
Collectors, male	3.05	.120	48

France (Lille district): Average hourly wage rates and hours per week in the cotton and wool industry, 1931—Continued

Cotton and wool industry	Native currency	United States currency	Average hours per week
Spinning—Continued			
Carded spinning—Continued			
Cop attendants, female.....	3.01	\$0.118	48
Utility men.....	3.03	.119	48
Weaving:			
Weavers, male.....	3.72	.146	48
Warpers:			
Male.....	4.11	.161	48
Female.....	2.81	.110	48
Removers of knots, female.....	2.78	.109	48
Repairers of defects, female.....	3.24	.127	48
Testers, male.....	3.81	.149	48
Sizers, male.....	4.04	.158	48
Foil makers, female.....	3.68	.144	48
Warp mounters, male.....	2.97	.116	48
Threaders, male.....	4.08	.160	48
Utility men.....	3.00	.118	48
Dyeing (in tanks):			
Storekeepers, male.....	3.00	.118	48
Dye workers, male.....	3.14	.123	48
Machine workers, male.....	3.24	.127	48
Dryers, male.....	3.14	.123	48
Washers, male.....	3.14	.123	48
Bundlers, female.....	2.68	.105	48
Boys:			
13 to 16 years.....	1.59	.062	48
16 to 18 years.....	2.16	.085	48
Utility men.....	3.00	.118	48

Germany: Average hourly earnings and actual working time per week in the cotton industry, 1930

[Conversions into United States currency made at par, pfennig=0.238 cent]

	Native currency	United States currency	Actual working hours per week
Spinners:	Pfennigs		
Male.....	87.9	\$0.209	40.14
Female.....	61.9	.147	40.53
Weavers:			
Male.....	80.6	.192	41.92
Female.....	68.2	.162	41.39
Assistants:			
Male, over 20 years.....	66.4	.158	44.13
Female, over 20 years.....	48.9	.116	42.55

Great Britain (Lancashire district): Average weekly earnings and hours in the cotton industry, 1931

[Conversions into United States currency made at par, pound=\$4.866. The average exchange rate of the pound in October 1932 was \$3.396]

	Native currency				United States currency	Average hours per week
	Shillings	Pence	Shillings	Pence		
Men:						
Spinners, counts below 40.....	43	9	68	8	\$10.629-\$16.684	48
Spinners, counts 40's to 80's.....	41	11	72	2	10.183-17.536	48
Spinners, counts above 80's.....	62	11	74	2	15.286-18.022	48
Big piecers ¹	26	9	34	0	6.498-8.262	43
Twirners.....	59	8	73	11	14.497-17.959	48
Ball warpers.....	54	3	67	6	13.182-16.401	48
Sizers, tapers, and slashers.....	62	3	82	4	15.126-20.006	48
Warp dressers.....	53	11	68	5	13.069-16.624	48
Twisters-in.....	33	9	41	11	8.199-10.183	48
Drawers-in.....	37	8	54	3	9.151-13.182	48
Weavers, 4 looms.....	31	4	39	0	7.613-9.477	48
Women:						
Drawing-frame tenders.....	26	10	34	3	6.518-8.322	48
Slubber-frame tenders.....	24	6	33	4	5.952-8.099	48
Intermediate-frame tenders.....	22	1	31	3	5.366-7.593	48
Roving-frame tenders.....	25	0	30	9	6.075-7.470	48
Ring spinners.....	19	2	29	0	4.657-7.047	48
Reelers.....	18	10	24	6	4.574-5.952	48
Doublers.....	21	2	23	1	5.143-5.699	48
Winders.....	20	1	25	0	4.880-6.075	48
Beam warpers.....	22	3	33	9	5.406-8.199	48
Weavers, 4 looms.....	30	1	37	3	7.310-9.051	48

¹ Little piecers' (juveniles) wages approximately one half of big piecers'.

Italy (Milan district): Average daily earnings and hours in the cotton industry, 1932

[Conversion into United States currency made at par, lira=5.28 cents]

	Native currency	United States currency	Hours per day
Cotton-spinning industry:			
Piecwork:			
Spinning forewomen, spinners at slubbing frames.....	Lira 9.80	\$0.515	8
Spinners, female, at intermediate, roving, and fine roving frames, combers, reelers.....	9.20	.484	8
Tow shakers, hank twisters, female.....	8.40	.442	8
Spinners, female at rings, twisted or folded yarns ordinary reelers, etc.....	7.85	.413	8
Independent spinners, male.....	16.60	.873	8
Warp winders, bobbin winders, rewinders, etc.....	7.50	.395	8
Warpers, female.....	10.20	.537	8
Weavers, cleaners, makers of bolts, female.....	9.20	.484	8
Jacquard weavers, male.....	14.25	.750	8
Day work:			
Numberers, revolution counters, checkers, female.....	9.80	.515	8
Carders, female.....	8.40	.442	8
Weaving forewomen.....	11.00	.579	8
Dyers, bleachers, mercerizers, finishers, female: Special machine winders.....	16.40	.863	8
Machine minders, dyers, etc.:.....			
Male.....	5.20-14.25	.274-.750	8
Female.....	5.20-9.00	.274-.473	8
Special auxiliary staff: Technical workers (mechanics, electricians, male).....	16.40	.863	8
Miscellaneous:			
Male.....	4.40-14.25	.231-.750	8
Female.....	4.40-7.20	.231-.379	8

Italy: Hourly wages, exclusive of overtime wages, and average hours per week in the cotton textile industry, 1929

[Conversion into United States currency made at par, lira=5.26 cents]

	Native currency	United States currency	Average hours per week
Cotton-textile industry:			
Supervisors, room and department foremen.....	Lira 3.69	\$0.194	48
Spinning:			
Carders and beaters.....	2.03	.107	48
Drawing-frame tenders.....	1.51	.079	48
Automatic-machine operators.....	1.78	.094	48
Ring-machine operators.....	1.39	.073	48
Other spinning workers.....	1.46	.077	48
Doubling.....	1.35	.071	48
Weaving:			
Preparation.....	1.28	.067	48
Warping.....	1.57	.083	48
Weavers:			
Males.....	2.19	.115	48
Females.....	1.48	.078	48
Other workers in department.....	1.49	.078	48
Dye shops and bleachery.....	2.13	.112	48
Shops and general services.....	2.25	.118	48
Other departments.....	1.42	.075	48
Total.....	1.64	.086	48

Poland: Average hourly earnings of textile workers, 1931

[Conversion into United States currency made at par, zloty=11.22 cents]

	Native currency	United States currency
Cotton, vicuna, and cotton-waste spinning:	Zlote	
Spinners, male.....	0.96	\$0.108
Ring spinners, female.....	.72	.081
Other workers:		
Male.....	.78	.088
Female.....	.63	.071
Young persons.....	.43	.054
Cotton, half-wool, and light-wool weaving:		
Weavers:		
Male.....	.83	.093
Female.....	.75	.084
Other workers:		
Male.....	1.12	.126
Female.....	.67	.075
Young persons.....	.47	.053
Cotton dyeing and finishing:		
Printers and engravers.....	2.41	.270
Other workers, male.....	.81	.091
Women.....	.68	.076
Young persons.....	.49	.055

Italy: Average hourly earnings, including overtime earnings, and normal hours per week in the silk industry, 1930
[Conversion into United States currency at par, lira=5.26 cents]

	Native currency	United States currency	Average hours per week
	<i>Lira</i>		
Silk drawing.....	0.66	\$0.050	48
Silk throwing.....	1.05	.053	48
Silk weaving.....	1.77	.093	48
Silk dyeing.....	2.88	.151	48
Silk waste.....	1.66	.087	48
Artificial silk.....	1.88	.099	48
Silk drawing:			
Supervisors.....	1.78	.094	48
Beaters (brushing girls).....	.66	.035	48
Spinners.....	1.11	.058	48
Other groups (testing girls, etc.).....	.92	.048	48
General services (firemen, etc.).....	2.03	.107	48
Other departments.....	.92	.048	48
Total.....	.99	.052	48
Silk throwing:			
Directors and supervisors.....	1.65	.087	48
Spoolers and transferers.....	.83	.045	48
Doubling.....	1.09	.057	48
Spinning and twisting:			
Males.....	2.06	.108	48
Females.....	1.14	.060	48
Other departments.....	1.07	.056	48
General services (firemen, etc.).....	2.03	.107	48
Total.....	1.09	.057	48
Silk weaving:			
Supervisors and foremen.....	3.34	.176	48
Winding and spooling.....	1.34	.071	48
Warping.....	1.75	.092	48
Weaving:			
Males.....	2.48	.130	48
Females.....	1.78	.094	48
Other departments.....	1.52	.080	48
General services.....	2.42	.127	48
Total.....	1.80	.095	48
Silk waste:			
Supervisors and foremen.....	3.53	.186	48
Macerating.....	1.77	.093	48
Carding.....	1.63	.081	48
Combing, males.....	2.26	.119	48
Combing, females.....	1.35	.071	48
Spinning.....	1.37	.072	48
Other departments.....	1.42	.075	48
General services (firemen, etc.).....	2.19	.115	48
Total.....	1.60	.084	48

Mr. CAREY obtained the floor.

CALL OF THE ROLL

Mr. HEBERT. Mr. President, I desire to suggest the absence of a quorum, and ask for a roll call.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Johnson	Robinson, Ind.
Ashurst	Cutting	Kean	Russell
Austin	Davis	Keyes	Schall
Bachman	Dickinson	King	Sheppard
Bailey	Dieterich	Lewis	Shipstead
Bankhead	Dill	Logan	Smith
Barbour	Duffy	Loneragan	Steiner
Barkley	Erickson	Long	Stephens
Black	Fess	McCarran	Thomas, Okla.
Bone	Fletcher	McGill	Thomas, Utah
Borah	Frazier	McKellar	Thompson
Brown	George	McNary	Townsend
Bulkeley	Gibson	Metcalf	Tydings
Bulow	Glass	Murphy	Vandenberg
Byrd	Goldsbrough	Neely	Van Nuys
Byrnes	Gore	Norbeck	Wagner
Capper	Hale	Norris	Walcott
Caraway	Harrison	O'Mahoney	Walsh
Carey	Hastings	Overton	Wheeler
Clark	Hatch	Patterson	White
Connally	Hatfield	Pittman	
Copeland	Hayden	Pope	
Costigan	Hebert	Robinson, Ark.	

The PRESIDING OFFICER. Eighty-nine Senators have answered to their names. A quorum is present.

CLAUDIUS T. MURCHISON

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Wyoming be kind enough to yield to me for a moment?

Mr. CAREY. I yield.

Mr. ROBINSON of Arkansas. For the convenience of the Senator from North Carolina [Mr. BAILEY], I wish to submit a request for unanimous consent. The matter has been discussed with the Senator from Oregon [Mr. McNARY] and with the members of the committee. The request is that, as in executive session, the Senate consider the nomination of

Mr. Murchison to be Director of the Bureau of Foreign and Domestic Commerce. The Senator from North Carolina will make a brief statement as to the reason for this request.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Arkansas?

Mr. McNARY. Mr. President, this matter was presented last evening by the Senator from North Carolina, and I objected to immediate consideration because the action rested upon a poll which included the majority of the committee. This morning the Commerce Committee held a meeting, at which time Mr. Murchison was before the committee. All the members of the committee have been consulted and, I understand, are unanimous in agreeing to report the nomination. Therefore I have no objection.

Mr. BAILEY. I would not press this matter now but for the fact that I am under the necessity of leaving the city. I know Mr. Murchison. He is a very competent man, at the head of the department of commerce and banking in the University of North Carolina, a graduate of Columbia University. The committee reports favorably upon the nomination. I move its confirmation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. ROBINSON of Arkansas. Mr. President, I thank the Senator from Wyoming for so graciously yielding.

EVERGLADES NATIONAL PARK, FLA.

Mr. FLETCHER. Mr. President, will the Senator from Wyoming yield to me?

Mr. CAREY. I yield to the Senator from Florida.

Mr. FLETCHER. Mr. President, the Senate on three occasions passed bills which had been favorably reported from the Committee on Public Lands and Surveys, with reference to the Everglades National Park. The House never considered those bills. The Senate passed another bill on the subject only a short time ago, and it went to the House. A similar bill was introduced in the House and was passed by that body on yesterday. I should like to ask the Senate to consider and act upon the House bill at this time. There are a few modifications in the House bill, but we are entirely agreeable to the House bill.

I ask that House bill 2837 be laid before the Senate.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Presiding Officer laid before the Senate the bill (H.R. 2837) to provide for the establishment of the Everglades National Park in the State of Florida, and for other purposes, which was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That when title to all the lands within boundaries to be determined by the Secretary of the Interior within the area of approximately 2,000 square miles in the region of the Everglades of Dade, Monroe, and Collier Counties, in the State of Florida, recommended by said Secretary, in his report to Congress of December 3, 1930, pursuant to the act of March 1, 1929 (45 Stat., pt. 1, p. 1443), shall have been vested in the United States, said lands shall be, and are hereby, established, dedicated, and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Everglades National Park: *Provided*, That the United States shall not purchase by appropriation of public moneys any land within the aforesaid area, but such lands shall be secured by the United States only by public or private donation.

Sec. 2. The Secretary of the Interior is hereby authorized, in his discretion and upon submission of evidence of title satisfactory to him, to accept on behalf of the United States title to the lands referred to in the previous section hereof as may be deemed by him necessary or desirable for national-park purposes: *Provided*, That no land for said park shall be accepted until exclusive jurisdiction over the entire park area, in form satisfactory to the Secretary of the Interior, shall have been ceded by the State of Florida to the United States.

Sec. 3. The administration, protection, and development of the aforesaid park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat., 535), entitled "An act to establish a National Park Service, and for other purposes", as amended: *Provided*, That the provisions of the act approved June 10, 1920, known as the "Federal Water Power Act", shall not apply to this park: *Provided further*, That nothing in this act shall be construed to lessen any existing rights of the Seminole Indians which are not in conflict with the purposes for which the Everglades National Park is created: *And provided further*, That the United States shall not expend any public moneys for the administration, protection, or development of the aforesaid

park within a period of 5 years from the date of approval of this act.

Sec. 4. The said area or areas shall be permanently reserved as a wilderness, and no development of the project or plan for the entertainment of visitors shall be undertaken which will interfere with the preservation intact of the unique flora and fauna and the essential primitive natural conditions now prevailing in this area.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. VANDENBERG. May I ask the Senator from Florida if this bill follows the usual national-park form and involves no expenditure on the part of the Government for the acquisition of land?

Mr. FLETCHER. That is true, Mr. President.

Mr. NORRIS. Has the Senator from Florida spoken to the Senator from Oregon about it?

Mr. FLETCHER. Yes. The Senator from Oregon is agreeable to it.

Mr. NORRIS. Then it ought to be all right.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

RELIEF OF SCHOOL TEACHERS

Mr. LEWIS. Mr. President, may I ask the able Senator from Wyoming [Mr. CAREY] if he will allow me to intrude for the purpose of asking the Senator from Florida [Mr. FLETCHER], the Chairman of the Committee on Banking and Currency, for information as to a bill which passed the House and which is on its way to the Senate?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Illinois for that purpose?

Mr. CAREY. Mr. President, I should like to proceed with my remarks, but if it will not take more than a minute I will be glad to yield.

Mr. LEWIS. I merely wish to ask a question, as I have awaiting me in the lobby a delegation seeking information which I cannot give correctly. I should like to ask the Senator from Florida, the Chairman of the Committee on Banking and Currency, if he can give me information as to the status of the bill which comes from the House and which contains an amendment in behalf of the school teachers of the country? I am exceedingly anxious as to that feature of the bill, because of the great necessity of the school teachers of Chicago, and I merely want to ask the able Senator if he can tell me at this particular juncture whether the bill is here and is to go to conference, or whether we are to act upon it at present, or what his judgment is, so that I may understand its status, as I myself do not know it at present.

Mr. FLETCHER. I think that matter is in charge of the Senator from Virginia [Mr. GLASS], who will be here in a few moments, I understand. I am quite sure that his motion will be to disagree to the House amendments and ask for a conference. I think there are some amendments which he will not be willing to accept. However, he will attend to that matter very shortly.

Mr. NORRIS. Mr. President, I call the attention of the Chair to the fact that the Senator from Wyoming yielded only for 1 minute, and that minute has expired.

The PRESIDING OFFICER. The Senator from Wyoming will proceed.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. CAREY. Mr. President, I do not believe that any administration has advocated so many things which are detrimental to the State of Wyoming and other Western States as has the present one. While I feel that much of the program of this administration is unwise, during the present session of Congress two measures have been enacted which will seriously affect two of the basic industries of my State, namely, cattle and sugar.

A bill for the leasing of the public domain is now pending, and the passage of the pending tariff bill may destroy other industries in Wyoming.

The bill which made cattle a basic commodity will reduce the price which the cattle producer will receive for his cattle, and the processing taxes which will be imposed will be paid by the producer rather than by the consumer. I make this statement knowing what has happened in the case of hogs, where not only high processing taxes have been levied but with millions of pigs purchased and destroyed by the Federal Government the price of hogs has steadily declined. Further, on account of the dry season throughout the hog-producing area it is to be expected that there will be more hogs in the country than when the program was initiated, which means still lower prices.

The sugar bill, to which I shall refer later, is the first step toward the elimination of the beet-sugar industry, which provides the only cash crop which the farmers on irrigated land in the West can produce. It means the destruction of an industry which has built up many prosperous communities not only in Wyoming but in other Western States. To prevent its further expansion denies to these States an opportunity to increase their taxable property and population.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to his colleague?

Mr. CAREY. I prefer not to yield at this time. I should like to proceed with my remarks.

The PRESIDING OFFICER. The Senator from Wyoming declines to yield.

Mr. CAREY. The Secretary of Agriculture, in his testimony before the Senate Committee on Finance, was asked by the Senator from Michigan [Mr. VANDENBERG] if the Casper-Alcova project, in Wyoming, for which the Federal Government is expending \$26,000,000, would be a beet-producing area, made the following statement:

Secretary WALLACE. I think that they would, under this kind of a provision, not be entitled to a sugar allotment, but that would be again up to the technicians to arrive at the fair thing. But in view of the past history it would seem to me that clearly they would not be entitled to such an allotment.

We have other areas in Wyoming where, within a very short time, we could expect sugar factories but which will be denied them.

A bill has already passed the House of Representatives and will shortly be before the Senate providing for the leasing of the unappropriated public lands. The passage of this bill will make it impossible for the public lands to pass into private ownership and to contribute their share toward the cost of State and county governments. This bill will seriously affect the development of the public-land States, and the continuance of Federal control means that the Western States to a large extent will be colonies governed from Washington rather than sovereign Commonwealths.

The tariff bill which we are now considering will permit the President to reduce tariffs 50 percent in order to develop trade with other nations. While I am in favor of increasing our export business, considering the fact that it has been 10 percent of the business of the country in normal times, I do not believe in sacrificing American industries in order to increase it.

The principal products of Wyoming are now protected by a tariff, although the present tariff is not high enough in some instances adequately to protect them. We produce in Wyoming wheat, corn, and other grains, potatoes, beans, cattle, hogs, sheep, wool, oil and coal, as well as other minerals, and sugar. The passage of the present tariff law cannot do other than demoralize business, as those engaged in every industry in the country which is protected by the tariff will be fearful of reductions which would affect them. The danger of this legislation is not only what may happen, but the fear of what might happen. In my State the wool industry represented the only industry which has shown any signs of returning prosperity. Wool was bringing good

prices and there was an active demand; but the threat contained in the pending bill has reduced the price of wool from 33 cents, which was paid early in February, to about 22½ cents at the present time, a reduction of approximately 33 percent. On account of this tariff agitation there has been but one sale of range wool made in Wyoming in the past 30 days.

Mr. O'MAHONEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to his colleague?

Mr. CAREY. I yield.

Mr. O'MAHONEY. Does the Senator recall what the price of wool was in 1932?

Mr. CAREY. I recall it was considerably lower than it was during 1933, and I recall that wool went up in price until this tariff agitation began.

Mr. O'MAHONEY. Does the Senator recall what was one of the factors that cooperated in raising the price?

Mr. CAREY. What helped to bring the price up?

Mr. O'MAHONEY. Yes.

Mr. CAREY. I am very glad to give credit to the Farm Credit Administration for the help they gave at that time. I have always given them credit for it, and I wish the Farm Credit Administration could have continued its good work without tariff agitation.

Mr. O'MAHONEY. I am very glad the Senator is giving that credit.

Mr. CAREY. Mr. President, it is a well-known fact—

Mr. LONG. Mr. President, since the Senator has been interrupted, will he permit me to interrupt him just at this point?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Louisiana?

Mr. CAREY. I yield if the Senator does not intend to make a speech.

Mr. LONG. I do not intend to make any extended speech. I merely want to call the attention of the Senator to a rather interesting situation. He was interested in the cattle measure the other day, although I think he voted against the bill. We appropriated, I believe, \$150,000,000 to restore the cattle business—to limit the production of cattle, I guess. I have in my hand this morning two cans of meat, Libby's corned beef. Libby is an American packing industry. Here [exhibiting] is one can of Libby's corned beef made from Argentine meat; it is canned and processed and prepared in Argentina, and the inspection certificate reads:

Inspected and passed by Argentine Department of Agriculture.

Here [exhibiting] is another can of corned beef sold by the same packing company. It was packed in Uruguay; it is Uruguayan beef; and on the inspection label it says:

Inspected and approved by the Uruguayan Government.

The "brain trusters" have already got things to the point where there is not any use trying to do anything for the American cattle grower and for the American beef raiser. The meat can be obtained in South American countries for practically nothing, and, in order to save the cost of labor, they are packing it in South America, and we do not even get a chance to inspect it. We have a reciprocity agreement by which the inspection is done down there, and therefore our cattle growers have got their cattle standing up and the Agricultural Department is letting foreign beef come in here. These two cans were bought on the counter in this city this morning.

Mr. CAREY. The Senator is aware that the United States Government purchased South American beef during the past year, is he not?

Mr. LONG. I did not know that, but I would not be surprised at anything they do; I would not be a bit surprised. If the Senator had told me that 2 months ago, I would have denied it, as a matter of principle, but I would not be surprised at anything the Senator tells me now, particularly since we have appropriated \$150,000,000 to help the beef industry and agriculture, and there are not being sold here over any counter any such products to amount to anything when it can be helped except Argentine and Uruguayan beef,

and we are not even inspecting it. I would not be surprised at the information that the Government was buying it from there. I would not be surprised at anything that might happen. You can just take that from me. I have passed the day of surprises.

Mr. CAREY. (Mr. President, it is a well-known fact that both Secretary Wallace and his Assistant Secretary, Dr. Tugwell, are free-traders, and it is not to be expected that either of them will make any great effort to protect the agriculturists of this country should it be decided to enter into trade agreements with South American and other countries which will have little or nothing to exchange except agricultural products.

Last winter, in a conversation with Secretary Wallace, he told me that the troubles of the cattle men were entirely due to the protective tariff, as through the protective tariff they had been encouraged to overproduce. I can concur in his statement that there would be no overproduction if there was no tariff, as without a tariff no American cattle producer could remain in business. It costs from 6 to 7 cents a pound to produce beef in this country against a cent and a half in some South American countries, such as those countries which are producing the canned meat which the Senator from Louisiana has shown to the Senate.)

The present administration has taken the position that the sugar-beet industry is "inefficient" and "uneconomic" because it enjoys tariff protection. If this be true, then corn, wheat, wool, hogs, and other agricultural products are uneconomic, as is every other American industry which has tariff protection.

In the course of the hearings on the Jones-Costigan bill, before the House Committee on Agriculture, Mr. A. J. S. Weaver, who was then chief of the sugar section of the A.A.A., was asked the following question by Mr. Hope, of Kansas:

Well, then, in other words, the policy is to start in eliminating the industry before it gets any bigger. Am I correct in that assumption?

Mr. WEAVER. Yes; I think that is a reasonable statement.

Following that statement, certain Senators and Representatives called on the President, who authorized them to issue a statement repudiating Mr. Weaver, and announcing that it was not the intention of the administration to eliminate the beet-sugar industry.)

While Mr. Weaver made the foregoing statement, his testimony was changed in the printed record—Mr. Weaver stating that he had misunderstood the question—to:

Mr. WEAVER. Yes; if you mean limiting the industry, I think that is a reasonable statement.

However, we find that Dr. Tugwell, Assistant Secretary of Agriculture, made an unscheduled appearance before the committee on the following day to disavow some of the things which Mr. Weaver said. Yet, when he was asked if he agreed with Mr. Weaver's views on the elimination of the industry, he replied:

I think he [Mr. Weaver] believes that no industry is entitled to support by a tariff, and I may say personally that I agree with him.

If these views of Professor Tugwell are to be the policy of the administration or the Department of Agriculture, it will mean, should this bill become a law, that no agricultural product will be protected by the tariff, as Professor Tugwell has plainly stated he does not believe it is entitled to such support.)

I could quote from numerous speeches of the Secretary of Agriculture in which he has consistently advocated a radical reduction in tariffs and the elimination of industries which he considers uneconomic, but it is not necessary, as his position is well known. Certainly we can expect little help from the Department of Agriculture in maintaining tariffs for the protection of the farmer or livestock grower.)

On account of a letter which was published in a news story appearing in the Habana Post under date of August 24, 1932, in which it appeared that Mr. Roosevelt, then a candidate for President, had advocated the reduction of 20 percent of the sugar tariff for the benefit of Cuba, the President wrote a letter to Hon. FRED CUMMINGS, of Fort Collins,

Colo., in which he endeavored to explain the letter, particularly that he had made no commitment respecting the sugar tariff. However, in this letter he made the following statement:

The declared policy of the Democratic Party and its candidates is to establish a "fact-finding tariff commission free from Executive interference"; to negotiate "reciprocal tariff agreements with other nations"; and, finally, to call "an international economic conference designed to restore international trade and facilitate exchange."

In other words, the Democratic program is specifically intended to eliminate politics from the consideration of the tariff question, and there is no industry in the United States—manufacturing or agricultural—that cannot, with greater assurance, rely upon this program than upon the Republican policy which has brought our country to the brink of disaster.

I call attention particularly to that part of the statement where the President said:

The declared policy of the Democratic Party and its candidates is to establish a "fact-finding tariff commission, free from Executive interference"; to negotiate "reciprocal-tariff agreements with other nations"; and, finally, to call an "international economic conference designed to restore international trade and facilitate exchange."

While there may be justification for this change in position on the part of the President, his most ardent supporters cannot claim that the pending bill is in line either with the statement made by him at that time or what he calls the "declared policy of the Democratic Party." The bill provides for no "fact-finding tariff commission free from Executive interference" but gives the President the arbitrary power to enter into reciprocal-tariff agreements without consulting with any commission or anyone else. Neither does it provide for any international economic conference.

No one knows, unless it be the President or some of the mis-called "brain trust", just what American industries will be affected through the passage of this bill. However, we can judge sometimes of the future by what has happened in the past, and for that reason I desire to call attention to what has happened in the case of sugar.

There is no question that very clever persons, acting in behalf of the Cuban sugar interests, were responsible for the Jones-Costigan Act. It is also possible that certain ones high in the councils of the administration, some of whom held Government positions, who had previously been employed by the Cuban sugar interests, sold the idea to the administration.

Early in 1933 a conference was called in Washington by the administration, to which were invited representatives of the various sugar interests which supply sugar to the United States. Dr. John Lee Coulter, a Republican member of the United States Tariff Commission, conducted negotiations with the various groups and after long negotiations presented a sugar-stabilization agreement which all branches of the domestic sugar industry approved. More than a month after the agreement was presented it was rejected by Secretary Wallace. At that time Mr. Wallace had associated with him two gentlemen who had had connections with the Cuban sugar interests, while there was a third gentleman, high in the councils of the administration, with interests in Cuba.

While it is impossible to say who were responsible for the administration's sugar policy, it cannot be denied that certain persons intimately connected with the administration had been in the past either employed or interested in Cuban sugar.

When the A.A.A. was established, Mr. Jerome N. Frank was selected as the head of the legal section, regardless of the protests of Mr. George N. Peek, who was then Administrator. Mr. Frank, after graduating from law school, practiced law in Chicago, but in 1929 he moved to New York and became a member of the law firm of Chadbourne, Stanchfield & Levy. The senior member of this firm, Thomas L. Chadbourne, is reputed to have extensive holdings in Cuban sugar, although his name is not included among the directors of the larger Cuban sugar companies. In 1930, Mr. Chadbourne was asked to look over the sugar situation in Cuba, the result of which evolved in what later

became known as the "Chadbourne plan", an international agreement which included Cuba and Java and several European countries. Mr. Chadbourne is reported to have been paid a large sum for this work and in public addresses, in extolling his triumphs in economic diplomacy, constantly condemned the Hawley-Smoot tariff on sugar.

In the summer of 1933, when the so-called "sugar-stabilization conference" was in session in Washington, Mr. Chadbourne proposed that drastic quotas be imposed on all domestic sugar so that advantages might be extended to Cuba. He also suggested that the preferential rate on the duty on Cuban sugar be reduced to 1½ cents a pound, which, curiously enough, is exactly the amount provided for in the recent Presidential proclamation.

As I have stated before, Mr. Frank attained his position with the A.A.A. over the protests of the Administrator, Mr. Peek; in fact, Mr. Peek had so little use for him that he personally employed another attorney, Mr. Lee. Also, I am informed that when Mr. Frank came here he stated that he had made a lot of money and cared nothing for a salary, but that his sole desire was to serve in some capacity where he might help his country. How he made his money is not known; but as he was a member of a law firm representing Cuban sugar interests, it may be presumed that some of this money came from Cuba. It was not long before he was one of the "bellwethers" of the A.A.A. and helped to "grease the slide" for Mr. Peek's exit. This meek gentleman, whose sole desire was to help his country, so ingratiated himself with Secretary Wallace that he is dictating the policies of the A.A.A. and, with the possible exception of Dr. Tugwell, is the most influential person in the Department. He is the legal head, while the Solicitor of the Department is seldom consulted and constantly ignored. While it is true that Mr. Frank has never appeared publicly in sugar matters, it is fair to presume that as the chief legal adviser of the Secretary he has been consulted. Certainly his previous connection with Mr. Chadbourne would in no way influence any advice he may have given the Secretary.

When it was necessary to appoint a legal adviser for hearings on the so-called "sugar-stabilization agreement", there was chosen for this position Mr. Adolph A. Berle, Jr., who had been the legal adviser for Mr. Charles W. Taussig, a member of the "brain trust" scrub team, and who is president of the American Molasses Co. and is interested, among other things, in the operation of a refinery in Cuba which makes granulated white sugar and ships it into the United States in competition with American refiners.

On August 29, 1933, during the hearings on the sugar-stabilization agreement, certain members of the Sugar Institute moved that Dr. Berle be barred as acting as a member of the commission on the ground that he—

is biased and prejudiced against the interests of the said operating cane-sugar refiners of the continental United States, and cannot fairly hear and justly determine, or fairly advise the Secretary of Agriculture with regard to said agreement, or any modifications or amendments thereof which may be proposed to or by the A.A.A.

It was also charged by the refiners, and never denied, that Dr. Berle was attorney and counsel for Charles W. Taussig. In reply to these charges Dr. Berle stated that he was acting only upon the insistence of the Secretary of Agriculture, who was aware of his outside interests. If the Secretary had that much confidence in Dr. Berle at that time, it is certain that Dr. Berle has been consulted as to the sugar program.

Mr. Charles W. Taussig, regardless of his connection with Cuban sugar interests, has been a constant adviser of the President on sugar matters. His relations with the President have been so close that he traveled with him during a part of his campaign, and would probably have continued for the entire route had not some of Governor Roosevelt's friends intimated to Mr. Taussig that his presence might prove embarrassing.

As to the particular parts Mr. Frank, Dr. Berle, and Mr. Taussig have played in influencing either Secretary Wallace or the President in shaping the sugar legislation, I have no way of knowing, but it is fair to assume that these gentle-

men, because of their previous or present connections with Cuban sugar interests, have not been lacking in diligence in presenting their views.

Recently another gentleman, a friend and a protege of Mr. Charles W. Taussig, has moved into the picture. I refer to Mr. John E. Dalton, who has been made chief of the sugar section of the A.A.A., replacing Mr. Weaver. Dr. Dalton, who is known to his intimate friends as "Curse You" Jack Dalton, came here from California in 1932, and has gone from one job to another with remarkable rapidity. He belongs to the new-deal circle of economists, and is an intimate friend and associate of both Dr. Moley and Mr. Taussig. Dr. Dalton, as head of the sugar section of the A.A.A., will be the dictator of the sugar industry in the United States. His selection is proof that Mr. Taussig and the Cuban sugar interests are still "in the saddle."

It is also well known that Secretary of Commerce Roper acted for Mr. Chadbourne in a legal capacity, and also represented several Cuban sugar companies. However, I have no knowledge that he was ever consulted as to the sugar program.

I have spoken at length on the sugar question, and called attention to the friends of the Cuban sugar interests connected with the administration, for the reason that I feel that if this bill becomes a law similar situations may develop affecting other industries. No one knows who has been "planted" or will be "planted" in departments of the Government to destroy certain industries and to help others. No one knows who will have the most influence with the administration, as no one can foresee what industries will be declared uneconomic and inefficient and selected by the "brain trust" for destruction.

Mr. FESS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Ohio?

Mr. CAREY. I do.

Mr. FESS. The Senator has stated matters which, if I understand the inference from them, are most serious.

I can understand how the Cuban people, as a people, should desire to have no tariff whatever on sugar coming here, because of sugar being the product on which that island relies for its prosperity. That is easily understood. I can also understand why, in all of our tariff making ever since Cuba has become independent, we have given her a preferential status; and it is easy to understand why people who are close to Cuba as a nationality should plead with us on behalf of the people of Cuba to reduce the duty. As I have listened to this address, however, I have heard the names of Frank and of Chadbourne and of Berle and of Taussig and of Dalton, most of them now in positions here in the administration, most if not all of them identified in an official relationship with Cuban interests, especially sugar. If I draw the correct inference—and it seems to me it is irresistible—those men have had to do with our policy as to sugar, both in what we have already done and now in what we are asked to do. If that inference is justified, it is something that ought to be investigated.

Mr. CAREY. I think it is justified or I should not have made the statements I have made. I have given the record as it is.

Mr. FESS. I can understand why Cubans should want this legislation; but if Americans employed by sugar interests in Cuba and now in official positions in this administration are asking for such a thing for selfish reasons, I think we ought to know it, if that is the inference, and I take it that it is.

Mr. CAREY. I cannot see any justification for men who have had the connection with sugar that some of these men have had having a hand in framing this legislation.

Mr. FESS. I think that matter ought to be brought to the attention of the public.

Mr. CAREY. (Mr. President, it is certain that if this tariff bill becomes a law every interest and industry in the country must struggle to protect itself; and those will be protected who are closest to the administration, while others will suffer who have no advocates to protect them. There is no question but that the large industrial interests that desire to sell their products in foreign countries will insist

on sacrificing agriculture or any other industry in order to gain their end. Agriculture and the small industries will suffer, while the large industries will profit.

I am not opposed to this bill because it is a Democratic measure but because I feel that if I supported it I should be betraying the people who sent me to the Senate and who expect me to represent their interests. I cannot subscribe to the doctrine that it is right to sacrifice any section of the country or any class of people for the benefit of another section or class. Neither can I justify selling the United States short, which will happen if the bill shall become a law.)

Mr. President, I ask unanimous consent to insert in the RECORD at the conclusion of my remarks an editorial from the New York Herald Tribune under date of April 30, 1934, entitled "Dangerous Tariff Powers."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DANGEROUS TARIFF POWERS

It is regrettable that the administration spokesmen who have put up such a good argument in favor of granting the President powers to negotiate reciprocal trade agreements should insist that these powers be granted in such a form as to obviate the necessity of hearings on the part of persons whose interests might be adversely affected by Presidential rulings reducing tariff schedules. The point is of vital importance—not only in principle but also in practice.

It is important in principle because it places in the sole discretion of the President extensive powers of tariff making, and hence of taxation, which have heretofore been reserved to the legislative branch of the Government. It is important in practice because these powers may be abused to serve political ends of unscrupulous advisers of the President.

Unfortunately, this second point is the most ominous. Three months ago few people would have believed so. But the Nation has been jolted into the unpleasant realization that the powers for "cracking down" on a recalcitrant industry may be used arbitrarily, regardless of fair play. The fate of the air-mail carriers shows this. The industry was offensive to some of the President's friends and advisers. It was therefore sacrificed. What assurance have we that other industries which give offense may not, under the arbitrary powers over the tariff to be given to the President, also be punished?

It is difficult to see how the effectiveness of the President's negotiations for reciprocal agreements can be seriously jeopardized by giving some group like the Tariff Commission the role of a sort of court of appeals. The essential thing is to make it impossible that the President's power be exercised arbitrarily and without a corrective. This, rather than the principle of reciprocal agreements, is what is objected to by critics of the present measure.

Mr. KEAN obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. KEAN. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll. The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Johnson	Robinson, Ark.
Ashurst	Cutting	Kean	Robinson, Ind.
Austin	Davis	Keyes	Russell
Bachman	Dickinson	King	Schall
Bailey	Dieterich	Lewis	Sheppard
Bankhead	Dill	Logan	Shipstead
Barbour	Duffy	Loneragan	Smith
Barkley	Erickson	Long	Steiwer
Black	Fess	McCarran	Stephens
Bone	Fletcher	McGill	Thomas, Okla.
Borah	Frazier	McKellar	Thomas, Utah
Brown	George	McNary	Thompson
Bulkeley	Gibson	Metcalf	Townsend
Bulow	Glass	Murphy	Tydings
Byrd	Goldsborough	Neely	Vandenberg
Byrnes	Gore	Norbeck	Van Nuys
Capper	Hale	Norris	Wagner
Caraway	Harrison	O'Mahoney	Walcott
Carey	Hastings	Overton	Walsh
Clark	Hatch	Patterson	Wheeler
Connally	Hatfield	Pittman	White
Copeland	Hayden	Pope	
Costigan	Hebert	Reynolds	

The PRESIDING OFFICER. Ninety Senators having answered to their names, there is a quorum present.

Mr. KEAN. Mr. President, every Senator is well aware of my attitude and record on the important question of the tariff. The reasons why I have consistently advocated adequate protection seem too obvious to require any detailed explanation at this time. However, I feel that it is my duty

to point out again the great danger to the workers of this country, in both field and factory, and to industry and agriculture in general. The plain fact still remains that failure to afford suitable protection will inevitably retard recovery in the United States and work a particularly grave hardship upon the working men and women of America.

This highly important problem ought not to be left to the discretion of any man; or, for that matter, to any small group of men. What I argue here is that the question of insuring the future welfare of the American workingman and American industry is of such vital importance, particularly at this time, that the people of this country deserve to be represented in any and all deliberations by the men and women whom they duly elect to represent them and to protect their interests. The welfare and future happiness of all of the people of this country so largely depend upon any adjustment of our rates which may be made that it seems unthinkable that these vast powers should be delegated to others by their representatives here.

I think it is clearly impossible that the President of the United States could possibly go into a detailed study of any one article manufactured in the United States and a like article manufactured abroad and decide whether we should destroy the American plant for the benefit of the foreign plant. Therefore, he must delegate this authority to some group of brain trusters, with no experience in business, with little or no sympathy with the troubles and problems of the workingman, who will simply decide the question involved on the ground of something they have learned out of books in universities. In one of the committees of the Senate on which I have the honor to serve we are now talking about setting aside large sums of money for improving housing conditions of the ordinary man.

I submit, Mr. President, that no sound argument has been advanced, here or elsewhere, which disposes of the plain fact that American labor cannot compete with underpaid foreign labor, and with any hope that they will in the future enjoy the standards of living which have prevailed in the past.

True, in times of distress like these, men are ever ready to grasp at any fancied panacea in the desperate hope of improving their lot. That is but human. But permit me to warn Senators that, under the circumstances, a grave responsibility rests upon their shoulders. I warn them here and now that they will deeply regret any failure to see to it themselves—it being plainly their duty so to do—that suitable protection from cheaply produced goods from abroad is assured the people of the United States.

It was inevitable that advantage should be taken by opportunists to discredit our system of protecting American workers and American industry during the period of economic distress which followed the most devastating war of all time. The souls of men have been sorely tried, and one can well understand how susceptible they may be to the arguments of the preachers of such false doctrine. It is therefore more important now than at any time in our country's history that Senators should not be deceived by this false and dangerous doctrine.

The cold plain fact remains. One need not be a statistician, an expert in economy or on fiscal matters generally, to realize that any system which permits the dumping of foreign products in the United States spells defeat for the worker and his employer in this country.

Before the war there were something like 20,000 landholders in Great Britain, many of them owning vast tracts of land which were laid out into parks. Now, owing to excess of death duties, many of these landholders have parted with their places, the forests on them are being cut down, and they are being transformed into farms. This will mean that Great Britain will buy much less wheat than heretofore. In addition to this, they will not give up the benefit of empire trade, so that we will be able to sell to them less wheat and less cotton because both India and Egypt are going to be greater cotton-producing countries.

In France we have paid for the restoration of the devastated regions and provided them with farm machinery better than they ever had before, so that France will not be

a purchaser of our farm products as she has been in the past, and will probably raise cotton in her African possessions, so that we cannot hope for a market for our cotton from that country.

Germany today is self-supporting, and the only hope we have is of giving them such favorable terms that they can forego some of their farm products in the hope of reaping a tremendous profit out of displacing American workmen in our factories.

I should like to point out at this time that there is no real justification for the charge that the tariff rates of this country are excessive. We actually rank next to Great Britain in the matter, with 67 percent of our products on the free list and but 33 percent protected. Certainly no one who has made anything approaching a careful study of the subject will argue that our rates are too high, when he realizes that the dutiable list of the United States is smaller than that of any country in the world, with one exception, namely, England.

It must be apparent to everyone who gives the problem serious thought that the surest, quickest, and most logical method of bringing about sound and permanent recovery is to restore and increase the purchasing power of the American people. Let those who advocate lowering tariff rates further, and thus bringing about what would virtually amount to free trade, explain here and now how it could possibly increase our prosperity, in view of the fact that any such movement would almost automatically throw thousands of our workers out of employment, thereby further decreasing our domestic purchasing power.

The unrestricted importation of products of the farm and factory which we ourselves produce could not possibly have any effect other than to place our producers at such a disadvantage that they would be forced to suspend operations.

I have always been a firm believer in a tariff, a tariff rather that protects our industry than one simply designed for revenue purposes only. But I believe that the rates on articles imported into this country should be fixed so as to equalize the costs of production at home or abroad, so that similar articles on which the tariff is imposed may be brought to the market at an equal price.

It is very difficult for the Congress to give to each article all of the attention the surrounding facts of its manufacture at home and abroad deserve. Still it is compulsory, under our Constitution, that this method be followed.

The most scientific method is for investigation to be made along judicial lines, weighing the evidence impartially on the facts as presented. This method has been followed successfully for the past few years. In effect, the Congress has made the Tariff Commission, which was created for an express purpose, a part of itself. The Tariff Commission has no other function than to weigh the evidence presented to it and make its decision, which decision is transmitted to the President for his approval—exactly the same procedure as is taken by the Congress in its consideration of legislation.

But to transfer to the President the power to hear evidence and make a decision, and to either raise or lower tariff rates by 50 percent, is a far different procedure. By the pending bill the power is sought to be given to one person, who is to hear the evidence, make a decision as a referee, and transmit that decision from himself as a referee to himself as President—a sort of Dr. Jekyll and Mr. Hyde proposition.

There is no question in my mind that the Congress has a constitutional right to delegate to the Tariff Commission the power to change duties either up or down by as much as 50 percent of a given rate. This was decided by the United States Supreme Court.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. KEAN. I yield.

Mr. TYDINGS. Does the Senator feel that Congress also has the right to give the President the power to raise or lower tariff duties to the extent of 75 percent?

Mr. KEAN. I do not think the Congress has the right to give the President any power to raise or lower the rates, except as it delegates the power to a commission for fact finding.

Mr. TYDINGS. Does the Senator feel that he could make that yardstick 75 percent instead of 50 percent?

Mr. KEAN. I would not make it 75 percent and I do not feel that—

Mr. TYDINGS. I asked if the Senator felt that that would be the yardstick he could make?

Mr. KEAN. I do not feel that I would give such latitude to the President of the United States.

Mr. TYDINGS. I did not ask what the Senator would give to the President.

Mr. KEAN. The Senator asked me how I felt about it and I have answered him as to how I felt about it. Having answered the question, I will go on with my speech.

Mr. TYDINGS. The Senator misunderstood me if he thinks he has answered the question. The Senator made the statement that the Supreme Court has held that a 50-percent yardstick was constitutional. I am asking the Senator if he thinks a 75-percent yardstick is likewise constitutional.

Mr. KEAN. That is for the Court to decide.

Mr. TYDINGS. The Senator does not want to answer.

Mr. KEAN. The Senator would just as lief answer, but the Senator is not the Court.

Mr. TYDINGS. I understand the Senator refuses to answer.

Mr. KEAN. Now, Mr. President, I will go on with my speech.

In the case of *Bluefield Water Works Co. v. Public Service Co.* (262 U.S. 679), the Court said:

The prescribing of rates is a legislative act. The commission is an instrumentality of the State, exercising delegated powers. Its order is of the same force as would be a like enactment of the legislature.

In the case of *Knoxville v. Knoxville Water Works Co.* (212 U.S. 1), the Court said:

Nevertheless, the function of rate making is purely legislative in its character, and this is true whether it is exercised directly by the legislature or by some subordinate and administrative body to whom the power of fixing the rates in detail has been delegated. The completed act derives its authority from the legislature and must be regarded as the exercise of legislative power.

It is clearly said by the Court that rate making is purely legislative in its character, whether exercised directly by the legislative or by some subordinate and administrative body.

Certainly the President of the United States cannot be considered as subordinate to the Congress. The Constitution took care of that when it created the three distinctive branches of the Government—the legislative, the executive, and the judicial.

The constitutional provisions as regards the creation of the office of President are carefully drawn, and nowhere does the Constitution provide that the President shall exercise legislative powers, nor does it provide that legislative powers be delegated to the Executive.

Article II, section I, of the Constitution of the United States provides that the executive power shall be vested in a President of the United States of America.

Section 3 of article II provides:

He (the President) shall from time to time give to the Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and shall commission all the officers of the United States.

It is my opinion, therefore, that if the Congress complies with the request of the President to clothe him with such powers that the constitutionality of such an act might be seriously questioned.

It seems to me that it is clearly unconstitutional; and if it is unconstitutional the Senate should proceed cautiously and give full consideration to the effect its act should have upon the business of the country. Business has been disturbed far too much to be further embarrassed. Prosperity can never come back, Blue Eagles to the contrary notwithstanding,

until the business people are assured that the future holds no uncertainty for them.

While I am opposed to any method which is designed to place in the power of any one person the control of all the manufacturing plants in the United States, at the same time, if the Senate gives this power to the President, why does he ask for the right to cut the protective tariff on foreign-made goods, when at the same time foreign countries now import goods into this country to an approximate value of \$900,000,000 a year which are all on the free list and on which a tariff is not levied? Instead of the President asking for the power to reduce any tariff by 50 percent as a trading measure, why does he not ask for the right to take all of these foreign-made goods off the free list and use this \$900,000,000 of free trade which they now enjoy as a persuasive argument to take an equal amount of goods from this country which they do not at the present time purchase from our merchants?

Mr. TYDINGS. Mr. President, will the Senator further yield?

Mr. KEAN. I yield.

Mr. TYDINGS. Under the Smoot-Hawley Tariff Act only 19 percent of the imported manufactured food products we consumed came into our country duty free. A large number of these free importations consisted of commodities of which we produced little or none in the United States. However, 82 percent of crude foodstuffs and food animals came in free of duty. But of this amount, in money value, three-fourths was in the form of coffee alone, which we do not produce in this country. Of crude materials, 83 percent came in free of duty; but raw silk and rubber, which we do not produce, accounted for over half of this amount. However, only 40 percent of finished manufactures and only 19 percent manufactured foodstuffs were imported.

Mr. KEAN. Mr. President, in reply to the Senator from Maryland, I should like to say that there is more than one country in the world which produces coffee. We could buy our coffee from Brazil; we could buy some of it from some other South American countries; we could buy it from Java, Sumatra, and various other places; so that that commodity is open to trade. We can say, "We will buy your coffee if you buy our goods." We can say to Java, "We will buy your coffee if you take so much from America of our manufactured goods." We can say to the Straits Settlements, "We will buy so much rubber from you if you will buy our goods. If you will not, we will buy our rubber in Brazil, from where it originally came." With reference to any of the commodities which the Senator has mentioned, we can go to a given country and say to its people, "If you want to trade with us we will give you the preference on this trade, if in return you will buy the goods made in the United States."

Mr. TYDINGS. The only trouble with the Senator's logic is that the United States is already selling to these very countries more goods than they are buying from us.

Mr. KEAN. I know that we do not ship more to some of them than they ship to us. We do not ship more to Brazil than we buy from that country.

Mr. TYDINGS. What other countries in that category can the Senator name?

Mr. KEAN. We do not export as much to Java as we buy from Java.

Mr. TYDINGS. What is the other one? There are three countries in all the world that buy less from us than we sell to them; only three. So where is the Senator's argument, when already we are selling more to these countries than we are buying from them?

Mr. KEAN. Then we will take the three the Senator has mentioned.

Mr. BORAH. Mr. President, may I ask the Senator from Maryland a question?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Idaho?

Mr. BORAH. If the Senator from Maryland is correct in his position, then what are going to be the fruits that are coming from the proposed reciprocal trade agreements?

Mr. TYDINGS. That is very questionable, indeed.

Mr. KEAN. Mr. President, the State of New Jersey, which I have the honor in part to represent, is among the first great industrial centers of the United States. In extent it is not large, being fourth from the smallest State in the Union, but it ranks third in manufacturing on a basis of ratio of industrial production to area. A large number of the large industries of the United States have extensive plants in New Jersey. Originally attracted to the State by the water-power facilities and housing advantages, the later expansion of their number and size has been due to quick transportation connections. According to statistics compiled by the Federal Bureau of the Census from data collected in 1930, there are 8,364 manufacturing establishments in the State. In these establishments the number of salaried officers and employees, not including the number of employees of central administrative offices located elsewhere than at the factories, is 74,550. The average number of wage earners during the year the data was collected was 441,105. They were paid over \$826,000,000 in salaries and wages. The value of the products was about \$4,000,000,000. In the year 1927 there were 408,093 wage earners who worked on products valued at about \$3,500,000,000. The 1930 census showed that the number of wage earners increased by 8 percent and the value of the products increased by 15 percent.

In addition to her industrial activities, New Jersey's agricultural products are substantially large for a State of her size. The approximate land area of the State is nearly 5,000,000 acres, of which about 2,000,000 acres are under cultivation. The value of the agricultural products in 1930 was nearly \$84,000,000.

I submit, therefore, the power to destroy even the smallest of these industries for the benefit of some other industry should not be lodged in any one man, even though he may have the wisdom of Solomon.

LOANS BY FEDERAL RESERVE BANKS TO INDUSTRIES

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3487) relating to direct loans for industrial purposes by Federal Reserve banks, and for other purposes.

Mr. FLETCHER. I move that the Senate disagree to the amendment of the House, ask for a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GLASS, Mr. WAGNER, Mr. BARKLEY, Mr. WALKOTT, and Mr. TOWNSEND conferees on the part of the Senate.

Mr. FLETCHER. I move that the bill be printed showing the amendment of the House.

The motion was agreed to.

DR. REXFORD G. TUGWELL

Mr. CAPPER obtained the floor.

Mr. HATFIELD. Mr. President, will the Senator yield to me for just a moment?

Mr. CAPPER. I yield.

Mr. HATFIELD. Mr. President, on May 30 and June 10, respectively, of 1933, I made some observations relative to Dr. Rexford G. Tugwell and discussed in some detail the subject matter of his book, issued May 8, 1933, under the title "The Industrial Discipline and the Governmental Acts", in which he renounced the Constitution of the United States, finding fault with the industrial group of our Nation as well as the organization heads of the labor unions of this country. I am glad to note that outstanding newspaper organizations, such as the Hearst group, are in support of the statement I presented to the Senate a year ago. I ask that an editorial of May 25, 1934, appearing in the Washington Herald, be printed in the RECORD as a part of my remarks.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Louisiana?

Mr. HATFIELD. I yield.

Mr. LONG. I should like to ask if the Senator will not amend his request and ask that the editorial be read at the desk?

Mr. HATFIELD. I should be very glad to have that done, if it is agreeable to the Senator from Kansas.

Mr. LONG. I ask to have the editorial read, reserving the right to object.

The PRESIDING OFFICER. Does the Senator from Kansas yield for that purpose?

Mr. CAPPER. I yield for that purpose.

The PRESIDING OFFICER. The clerk will read.

The legislative clerk read as follows:

[From the Washington Herald, May 15, 1934]

TUGWELLISM

Recently, as will be remembered, Dr. Wirt charged that the administration's "brain trust" was seeking, both furtively and openly, to bring about revolutionary changes in our form of government.

Denial was made that there was any basis for such charges. Congress instituted an investigation, but changed the investigation as it proceeded into a farce, evidently desiring to protect the administration and to prevent Dr. Wirt from sustaining his charges.

Prof. Rexford G. Tugwell, however, as one member of the "brain trust", will hardly have the hardihood to deny what he has spoken in public or what he has written over his own signature. And these public statements of Mr. Tugwell are infinitely more damaging, infinitely more communistic, and infinitely more subversive of American ideals than anything alleged by Dr. Wirt.

What can Mr. Tugwell say in denial or in defense of the following statement which he has publicly made:

"When a profession becomes so stiffly traditionalized as the economics of the past few decades nothing less than a revolution is required to shake its faith and teaching."

When a paragraph like this is read, in the light of the admitted failure of the A.A.A. and the N.R.A., one wonders whether traditionalized economic science is really so worthless after all.

The confused outlook of the new deal and the admitted breakdown of much that it has attempted seem to be confirming the principles of established economics, deride them as one may.

Exactly what does Professor Tugwell mean by his sensational advocacy of "nothing less than a revolution"?

And what does he mean by his declaration on page 1 of the same book that "There is revolution in our midst"?

Professor Tugwell now denies that he is concerned with the stoppage of the flow of capital into productive enterprise.

Apparently he has become aware of the growing revolt against arbitrary price control.

But in his book, *Industry's Coming of Age*, Professor Tugwell shows clearly that he is in favor of the control of capital expenditure and also of price control.

He says specifically in this volume:

"There are two obvious functions which some public body will always have to perform if social results are to be got. One is the matter of capital dispersal and allocation; the other is that of price control."

Professor Tugwell may be a Tory, as he somewhat disingenuously described himself in his recent speech before the country's editors in Washington, but his Toryism seems to have a very Russian tinge.

Take, for instance, the following quotations, still from his book above referred to. On page 261 he says:

"Perhaps it can be made to seem wrong to squander wealth, and perhaps it can be made to seem supremely important to produce it. But neither in our popular morality, with its roots in a past age and its controls devised for a medieval economy; in religion which clings to outworn ethics, irrelevant for the present, nor in public-school education, which is dominated by the two, does there seem to be a sufficient promise. But it is through some social agencies as these that controls will have to come."

And if anyone still thinks that the new deal is aiming at recovery merely and not at fundamental changes in our life, let him ponder the following by Tugwell:

"These trends are so important that, unless I am utterly mistaken, they will result in an almost complete remaking of American economic life. In the clear view of them which is emerging all the plans for our future must be made."

Will Professor Tugwell explain, if he can, the enunciation of such revolutionary doctrine, so subversive of our American policies and ideals?

Will he explain his indictment of our churches and our schools—his arraignment of the politics and economics, and even the morality of our people?

Is everything wrong with our American people?

Are only Professor Tugwell and his communistic comrades right?

Does Professor Tugwell's revolution necessitate the rejection, the destruction of every American principle, of every American institution, of every American moral code and intellectual standard?

Treason to American principles is revolution, and Mr. Tugwell's call to revolution is treason to American principles and to the American people.

Dr. Wirt charges as much.

His accusations were hardly needed.

From their own mouths the "brain trust" stand not only accused but convicted.

Why should not the committee of Congress reassemble and ask Professor Tugwell about these treasurable statements with which his writings are strewn and littered?

RIGHT OF SUFFRAGE FOR CITIZENS OF DISTRICT OF COLUMBIA

Mr. CAPPER. Mr. President, I had cherished the hope at the beginning of the Seventy-third Congress that opportunity would be afforded for consideration and action upon a matter of major importance to the people of the District of Columbia. However, the pressure of urgent national legislation has prevented.

The question to which I refer is embodied in Senate Joint Resolution 9, which it was my privilege to introduce early in the first session of the present Congress. This resolution proposes an amendment to the Constitution of the United States, empowering Congress to grant unto the residents of the District of Columbia voting representation in the Senate, the House of Representatives, and the electoral college and the same rights in respect to access to the courts of the United States as possessed by citizens of a State.

Mr. President, there is no matter affecting the National Capital community which is of as vital importance to the half million inhabitants of the District of Columbia as this proposal, whether viewed from either a local or a national angle. Here at the very heart of our great Republic we have a most anomalous condition—a great intelligent community of patriotic Americans deprived of all representation and participation in their Government, both local and National, though privileged to bear the burdens of taxation and all other obligations of citizenship. It has always seemed to me to be the very height of inconsistency for Congress, representing the world's great representative Republic, to maintain at the seat of government, under its exclusive control, such a glaring violation of the theory of republican government.

The District of Columbia, according to the 1930 United States census, has a population of 486,869, which is greater than that of eight of the sovereign States of the Union—New Hampshire, Idaho, Arizona, New Mexico, Vermont, Delaware, Wyoming, and Nevada. The District's population exceeds that of Delaware and Wyoming combined, Delaware and Nevada combined, Wyoming and Nevada combined, and Vermont and Nevada combined. Each of these combinations is represented in the Senate by 4 Senators and in the House of Representatives by 2 Representatives, while the District of Columbia has no representation in either body.

With a population of persons of voting age of 341,465, the District exceeds the population of voting age of 10 of the States. The good people of our country do not understand these facts regarding the District of Columbia or that these unrepresented Americans bear all of the burdens which are borne by all other national Americans.

The people of the District of Columbia pay both local and national taxes just as do the people in the States. For the fiscal year 1933 the District residents paid in Federal income and miscellaneous internal-revenue taxes an amount greater than that paid by each of 25 of the States and more than the combined payments of 10 States.

Mr. President, among many erroneous impressions regarding the District of Columbia is the idea that most of the residents here are Government employees and hold a voting residence back in the States. Nothing is further from the truth. In the first place, those engaged in gainful employment outside the Government far exceed in number the Federal employees, and, secondly, the number possessing and exercising the voting privilege is comparatively small. During the 1930 census enumeration a special questionnaire was used to ascertain just what this local voting strength was. The result reported by the Census Bureau is that there were found 15,105 in the District having a voting residence in the States which they had recently exercised. While the accuracy or adequacy of these figures has been challenged by the local political groups, the most extravagant and unreasonable claims cannot raise the number with power to vote in the States above 80,000. If from the population of voting age in the States and the District is first

deducted the number of unnaturalized foreigners and there be a further deduction in the case of the District, the extravagant estimate of 80,000, the District is still found to possess a potential voting strength of 251,439, which is greater than that of each of 10 States.

Whether measured by the standard of population, payment of national taxes, service in war or peace, or the bearing of any national burdens, the District is to be found shoulder to shoulder with the States of the Union, and in per capita measurement is among the leaders. This showing is one clearly indicating that in every respect these people are as justly entitled to the full rights and privileges of representative government as any people under the Stars and Stripes.

The Congress seems to have considerable difficulty in legislating for this smallest in area of our American community subdivisions, and I believe this is largely due to the un-American conditions which prevail here contrary to the fundamental principles of our Government. There has been considerable discussion of plans for reorganizing the local government of the District of Columbia and the changing of its form, but these are matters for future consideration and there seem to be the widest differences of opinion as to the lines such reforms shall take.

Based upon sound fundamental American principles, there seems to be no room for a difference of opinion as to the necessity as well as the absolute justice of granting the right of voting representation to these, our fellow Americans, in the National Government which legislates for them, both locally and nationally, which taxes them and sends them to war.

Mr. President, in 1922 the Senate Committee on the District of Columbia submitted to the Senate in the Sixty-seventh Congress a very comprehensive favorable report upon this proposal. I ask unanimous consent to print in the RECORD a summary of the conclusions reached by that committee.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY

Summarizing, we find and report:

The proposed constitutional amendment does not reduce the power of Congress in respect to the Capital but adds a new power; it does not propose the admission of the District into the Union as a sovereign State; it does not propose the destruction of the "10 miles square" provision of the Constitution; it does not lessen in the smallest degree the control by the Nation through Congress of what remains of the "10 miles square"; it does not disturb in any way the financial relation of Nation and Capital; it is not based upon either the abolition or retention of the half-and-half law; it does not propose or involve changes in the municipal government of the District.

It plans to bestow upon the 437,000 [now nearly 500,000] Americans of the District a distinctive basic right of the American citizen—in a government of the people, by the people, for the people—in a government which roots its justice in consent of the governed—in a representative government which inseparably couples taxation and arms bearing as a soldier with representation.

This distinctive American privilege decorates the American with a badge of honor and arms him with power. Its lack slurs the Washingtonian as unfit and defective, and slurs the Nation as in this respect un-American and impotent.

What the amendment proposes is equitable in itself and compulsory in accordance with American principles and traditions.

It gives to residents of the District rights and privileges which, under our scheme of government, belong to all who pay national taxes and fight as national soldiers.

It gives to residents of the District a self-protecting power in the national councils which is denied to the resident of no other community in all of the mainland and contiguous United States from Maine to Texas and from New York to California.

In the matter of access to the Federal courts, it raises District residents from a lower plane than that of aliens to the status of citizens of a State.

National representation of the District will remove from the Nation the shame of impotency.

It will proclaim to the world that the great Republic is as devoted to the principles of representative government and as capable of enforcing them as other republics with capitals in nation-controlled districts, like Mexico, Brazil, and Argentina. These nations have not found themselves impotent to give full national representation to the people of their capitals.

It will proclaim to the world that the people of Washington are as fit to participate in national representative government as the people of Rio de Janeiro, Buenos Aires, and Mexico City. Washington will cease to be the only capital in all the world whose

people, slurred as tainted or defective, are unworthy to enjoy the same national representation as that enjoyed by all other cities of the Nation.

Washington will cease to be the only American community—numerous, intelligent, prosperous, public spirited, and patriotic—in all the expanse of continental and contiguous United States whose fitness to exercise national privileges as well as to bear national burdens is denied.

National representation will clothe the Washingtonian with a vital American privilege to which he is undeniably in equity entitled; will cleanse him of the stigma and stain of un-Americanism; and, curing his political impotency, will arm him with a certain power.

It will relieve the Nation of the shame of un-Americanism at its heart and of impotency to cure this evil.

It will inflict no injury or hardship upon either Nation or Capital to counteract these benefits.

Mr. CAPPER. Mr. President, it will be my purpose to reintroduce this joint resolution in the Seventy-fourth Congress and to urge favorable consideration and action thereon.

RECIPROCAL TARIFF AGREEMENTS

The Senate resumed the consideration of the bill (H.R. 8687) to amend the Tariff Act of 1930.

Mr. HATFIELD. Mr. President, I ask the attention of the senior Senator from Mississippi [Mr. HARRISON].

Mr. LONG. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Louisiana?

Mr. HATFIELD. I yield.

Mr. LONG. Does the Senator intend to speak on the Colombian Treaty?

Mr. HATFIELD. That is my purpose.

Mr. LONG. In justice to my friend from Arkansas [Mr. ROBINSON] and others, I ask that I be allowed to suggest the absence of a quorum.

Mr. HATFIELD. Very well.

Mr. LONG. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Johnson	Robinson, Ark.
Ashurst	Cutting	Kean	Robinson, Ind.
Austin	Davis	Keyes	Russell
Bachman	Dickinson	King	Schall
Bailey	Dieterich	Lewis	Sheppard
Bankhead	Dill	Logan	Shipstead
Barbour	Duffy	Loneragan	Smith
Barkley	Erickson	Long	Stetwer
Black	Fess	McCarran	Stephens
Bone	Fletcher	McGill	Thomas, Okla.
Borah	Frazier	McKellar	Thomas, Utah
Brown	George	McNary	Thompson
Bulkeley	Gibson	Metcalf	Townsend
Bulow	Glass	Murphy	Tydings
Byrd	Goldsborough	Neely	Vandenberg
Byrnes	Gore	Norbeck	Van Nuys
Capper	Hale	Norris	Wagner
Caraway	Harrison	O'Mahoney	Walcott
Carey	Hastings	Overton	Walsh
Clark	Hatch	Patterson	Wheeler
Connally	Hatfield	Pittman	White
Copeland	Hayden	Pope	
Costigan	Hebert	Reynolds	

The PRESIDING OFFICER. Ninety Senators have answered to their names. A quorum is present.

Mr. HATFIELD. Mr. President, I ask the attention of the able senior Senator from Mississippi.

On May 22 I offered a resolution, which I will read, as follows:

Resolved, That the Secretary of State is requested to transmit immediately to the Senate a copy of the reciprocal trade agreement between the Governments of the United States and Colombia, agreed upon and signed on December 15, 1933, relating to certain import duties, excise taxes, and prohibitions on importation affecting specified products of such countries.

May I ask the able Senator whether or not he is willing to have the Senate consider my resolution at this time?

Mr. HARRISON. Mr. President, I am quite sure the very courteous and able Senator from West Virginia would not want to delay the consideration of the very important bill which is now before us, and which probably is the key to the adjournment of Congress, by the consideration of another resolution. As soon as this bill is out of

the way I am quite sure he will have no difficulty in having his resolution considered.

Does that answer the Senator?

Mr. HATFIELD. But does not the Senator feel that it would aid this body very materially to have that treaty before it during the pendency of this measure?

Mr. HARRISON. I am afraid it might provoke more discussion and might delay the conclusion of this measure.

Mr. HATFIELD. May I ask the able Senator whether or not he has any communication from the Secretary of State respecting the resolution?

Mr. HARRISON. Let me ask the Senator from West Virginia a question.

Mr. HATFIELD. Will the Senator please answer my question?

Mr. HARRISON. I shall answer it in a moment, but I desire to ask the Senator a question first.

If the Senator is so anxious with reference to the Colombian agreement's being published or sent to the Senate, would he be willing, if consent should be given to have the treaty sent here, to enter into a unanimous-consent agreement to limit debate, starting tomorrow at 12 o'clock, to 15 minutes on each amendment and, say, 15 minutes on the bill?

Mr. HATFIELD. That would depend largely upon the subject matter found in the treaty. I think I could answer the question more intelligently and more convincingly from my viewpoint if I knew the substance of the Colombian Treaty.

Mr. HARRISON. What is the Senator fearful about in connection with the Colombian Treaty?

Mr. HATFIELD. There are a good many things of which I could be fearful as contained in this treaty.

Mr. HARRISON. What has the Senator in mind?

Mr. HATFIELD. I see no very great hurry in agreeing upon a limitation of debate on this bill, when we take into consideration the fact that the bill now before this body involves all the tariff schedules found in the Smoot-Hawley tariff bill, and it took the Senate of the United States something over 7 months to consider that legislation. It required a great many speeches and a large amount of discussion; and finally, after 7 months, the tariff law of 1930 was voted upon and enacted. Now we are asked within a period of a week or 10 days to act on this important measure, at this time in our country's economic history when our industries need protection more than they needed it when the Smoot-Hawley tariff bill was under consideration by this body, and when we have 10,000,000 workers unemployed.

Mr. CUTTING. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from New Mexico?

Mr. HATFIELD. I yield to the Senator.

Mr. CUTTING. I desire to point out to the Senator a little of the testimony given before the Senate Finance Committee which may be pertinent to the subject of discussion.

The Senator from Connecticut [Mr. WALCOTT] had been asking a number of very pointed questions of the Assistant Secretary of State, Mr. Sayre. The Senator from Connecticut finally ended by saying—page 76 of the hearing:

Can you think of any trade that would benefit this country that does not injure another industry, under the terms of this bill?

And the reply of the Assistant Secretary of State was as follows:

I think, sir—I hesitate to mention this—but I think, sir, the very recent agreement which we signed with Colombia will create real benefits without doing injury to anybody.

If the treaty with Colombia furnishes the only instance of a real benefit which the Assistant Secretary of State could think of with regard to this bill, ought we not to have that treaty before us in order to know what we are actually voting on?

Mr. HATFIELD. Absolutely, Mr. President; and that was the purpose of my resolution.

Mr. HARRISON. Mr. President, may I ask the Senator again what there is in the Colombian Treaty that he is fearful of?

Mr. HATFIELD. I have not seen it. I can only answer the distinguished Senator from Mississippi by conjecture, or by an intuitive conclusion. I may say to the able Senator that coffee, oil, and fruits from the Republic of Colombia represent some 85 or 90 percent of the entire exports of Colombia to this country.

Mr. HARRISON. The Senator does not want to tax coffee coming into the United States, does he?

Mr. HATFIELD. Not at all; and I do not quite understand how coffee enters into this picture at all.

Mr. HARRISON. I understood the Senator to mention coffee. That is why I asked the question.

Mr. HATFIELD. I mentioned it in the course of mentioning other items which make up the imports to this country from the Republic of Colombia.

Mr. HARRISON. I may say to the Senator, with reference to the Colombian agreement, that I am quite sure no one, whether he opposes this bill or advocates it, will find any cause to complain so far as the United States is concerned in connection with the Colombian agreement; and I am quite sure the Assistant Secretary of State, in his testimony before the committee, was correct in saying that it will be of very marked advantage to the United States and will injuriously affect no industry in this country.

If I may continue for just a moment, while I do not want to prolong the Senator's speech, I wish to state that the State Department did conclude this agreement and under the rules, of course these agreements are made public in each country simultaneously. We are trying to work out some other arrangements; and the advantages that would accrue to the United States by virtue of the Colombian agreement ought also to be obtained from some other countries with which we may negotiate.

There is one other great country with which we have large trade in one of the articles covered in the Colombian agreement, which, I may say, comes in free of duty, and which I may say the Senator says he is not in favor of taxing and which gives us very large advantage by virtue of the fact we say we are not going to tax it. Some of these other countries, especially one large country, has with us a treaty which includes provision for full favored-nation rights. If the Colombian treaty shall be concluded, this other country can have the same advantages under the favored-nation clause.

It would be much more advantageous for the United States if, before the Colombian agreement shall be concluded, instead of making it public and frustrating the whole plan, we could work out an agreement with this other country which would be just as advantageous to the United States, which might mean more markets abroad, without giving up anything on our part except that we would agree not to tax certain articles. So it seems to me as if the State Department has acted very wisely in proceeding as it has proceeded. The Department is not trying to keep anything secret. If it shall be held back until after this legislation shall have passed, every interest affected in the United States will have a right to be heard, under the terms of the pending bill. So we can lose nothing by it. That is just about the situation.

I have no objection to the agreement being made public if the Colombian Government wants it to be made public. I would not like to see it thrown into the Senate merely to be utilized as a vehicle for debate, in order to delay the consideration of the pending bill.

Before I take my seat, may I say that I am sure that no charge can be brought by the Senator from West Virginia, or by anyone else on the other side, that in this debate extreme patience has not been manifested and displayed by those of us in charge of the proposed legislation. There has been no attempt, and there will be no attempt, to curtail legitimate discussion of the provisions of the bill. I have seen no evidence of filibuster. If evidence of a filibuster

shall appear, then there will be evidence upon this side of an effort to check the filibuster, because this legislation is going to be passed, and those who participate in trying to delay it are just putting off the adjournment of Congress that much longer.

Of course, there may be some here who want Congress to stay in session throughout the summer; as is suggested to me by a Senator sitting near me, some may be afraid to go home. [Laughter.] However, I think the average Senator wants to transact the public business, to carry out the legislative program, and to adjourn the Congress as quickly as possible. So far as I am concerned, I think it would be welcome news to everyone if we could finish the program in a rational way, without any bitterness being displayed, without any anger being manifested, without any undue and unnecessary delay being foisted upon the Senate, so that the country might breathe, and those of us—and I include all in that category—who have worked here for many months now as I have never seen the Membership of a Congress work in my experience, could go home and get some rest.

I have said more than I had intended to say. I am sorry I have delayed the consideration of the bill as much as I have, and I hope that the Senator, after he shall have concluded, will permit us to proceed to consider the amendments.

I may say, whether I am right or wrong, that there are certain responsibilities which rest upon those of us who are in charge of the legislation, and I shall be forced to try to hold the Congress in session, even tonight, and tomorrow, and tomorrow night, unless some kind of an arrangement can be made which will speed along the legislation.

Mr. HATFIELD. Mr. President, I appreciate the genial attitude of the Senator from Mississippi, and I assure him that I am just as anxious to see this session of the Congress adjourn as he is. I assure him, further, that I am one Senator who is not afraid to go back home. I may further say to him that I go back home anywhere from two to three times a month, and I am sorry that I cannot stay at home when I get there.

Mr. VANDENBERG rose.

Mr. HATFIELD. I am glad to yield to the Senator from New Mexico first, then I will yield to the Senator from Michigan.

Mr. HARRISON. Mr. President, may I say to the Senator that I did not have him in mind.

Mr. HATFIELD. I thoroughly understand that from my good friend the Senator from Mississippi.

Mr. CUTTING. Mr. President, I was just wondering, after listening to the lucid account by the able Senator from Mississippi of the reasons which actuated the administration with regard to the Colombian treaty at this time, whether the Senator would consider that that was an example of the Wilsonian doctrine of "open covenants openly arrived at."

Mr. HATFIELD. I think I could answer that without consulting the Senator from Mississippi, that the former President of the United States, that distinguished American, Woodrow Wilson, would not stand for that kind of political tactics for one moment.

I now yield to the able Senator from Michigan.

Mr. VANDENBERG. Mr. President, if I may have the attention of the Senator from Mississippi for just a moment, may I ask him a question? He used the words "trade agreement" and "treaty" rather indiscriminately in his discussion of this Colombian proposition. Is it fair to inquire whether it is a treaty or a trade agreement?

Mr. HARRISON. It is a trade agreement.

Mr. VANDENBERG. It is not a treaty?

Mr. HARRISON. It is not a treaty. As I stated, I was not informed the other day when a similar question was asked, but I understand now that it is a trade agreement, and that the Executive has the right to make it, because it is a question which affects articles on the free list and does not affect those on the dutiable list.

Mr. VANDENBERG. The Senator made the statement in the same connection that under the terms of the bargain-

ing bill any affected interest will be given a chance to be heard before the thing is finally consummated. Am I correct in quoting the Senator?

Mr. HARRISON. Yes. I may say that I am merely giving my opinion about this, not having read the trade agreement, but I know, in a way, what is in it, because I have made some inquiry about it since the question came up.

If this legislation should pass, and the Colombian agreement shall not have been concluded before it shall have passed, then it would seem to me that the proposed agreement would then come under the provisions of the pending bill, perhaps, and the spirit and purpose of the legislation be carried out by interested parties being given the right to be heard, if there are any parties who are interested in the matter. I really do not think it affects any industry in this country. I think it is more of an agreement which affects the American people, in that we are agreeing not to put a tax upon a certain article which comes in free of duty now.

Mr. VANDENBERG. This is what I am trying to get at, if the Senator will indulge me: This agreement was concluded and signed on the 15th day of December. What I want to know is whether this is a sample of the type of hearings covered under the terms of that section of the pending bill which pretends to promise hearings to affected industries, namely, hearings after a reciprocal trade agreement has been signed and concluded.

Mr. HARRISON. Oh, no; of course it is not.

Mr. VANDENBERG. That is precisely what will happen in this case.

Mr. HARRISON. There is an agreement which has been practically concluded.

Mr. VANDENBERG. Exactly.

Mr. HARRISON. Concluded, as I understand it, some months ago, but never made public, and I imagine that it will not be in operation until it shall have been promulgated by both countries.

Mr. VANDENBERG. What good is a hearing under those circumstances?

Mr. HARRISON. Under this agreement, may I say, as I have said, there is no interest that is affected except the American people, who might be taxed on coffee, which we are agreeing not to tax, and which the Senator does not want to tax, does he?

Mr. VANDENBERG. That is correct.

Mr. HARRISON. In the main, they agree to take certain commodities from this country. I do not know whom we could call in under those circumstances, unless we called in all the American people.

Mr. VANDENBERG. Has the Senator now disclosed the full contents of the treaty?

Mr. HARRISON. I have not; I am just speaking generally about it. I will say to the Senator, however, that I think we could pass a resolution here pretty quickly, if we could proceed along without any evidence of a filibuster, and limit debate in a rational way, so that we could come to some conclusion on this matter.

Mr. VANDENBERG. Mr. President, I am very earnestly seeking information at the moment and with no intention of holding up anything.

Mr. HARRISON. I can appreciate that.

Mr. VANDENBERG. The industry and agriculture of this country has been assured that the amendments introduced into this bill by the Senate Finance Committee providing for hearings is a saving clause which will permit an ample exploration of any objections that industry or agriculture may have to one of these agreements. Here is an agreement which the Senator says will be submitted to this type of exploration.

Mr. HARRISON. This agreement does not come within the provisions of the pending bill at all. It is a separate matter that the President has negotiated. It is not provided for in this bill. The bill at that time had not been written, had not been submitted at all, because this agreement was made in December, as I understand. But what I said to the Senator was that if the agreement is not finally concluded until after we shall have passed this legislation, that if the

President does bring it under this law, interested persons might be heard. But the agreement was not included under this bill at all.

Mr. VANDENBERG. No, Mr. President; but in the announcement of the State Department it is clearly declared that it will come into force only after necessary action has been taken. Therefore, this pending Colombian agreement is clearly within the implications and purposes of the pending legislation.

Mr. HARRISON. If it is, as I said, the spirit of this legislation ought to be carried out; and one of the provisions of this legislation is that there shall be notice given and that interested parties may be heard under such rules and regulations as prescribed by the President.

Mr. VANDENBERG. Exactly. What I want to know from the Senator is whether this is typical of the kind of hearings that are to be had hereafter; if we are to have hearings after the agreement not only has been concluded but has been signed by both parties to it? I want to know whether that is the kind of hearings which are to be given under this bill?

Mr. HARRISON. Why, of course not. It is not in contemplation. I should dislike very much to see it. I have more confidence in the President than that.

Mr. VANDENBERG. That is the only kind of hearing that can be given under this agreement.

Mr. HARRISON. I know, but this agreement has been written since December, as I understand. Does the Senator from West Virginia want to ask me some more questions?

Mr. HATFIELD. Yes, Mr. President. The information respecting this treaty is in the possession of the Secretary of State and in the possession of the President of the United States. Now that we are going to have secret reciprocal treaties dealing with trade propositions, why could not the Secretary of State and the Chief Executive of this Nation take the Senate into their confidence, and in secret session give to the Senate the substance of this treaty?

Mr. HARRISON. The State Department has no objection to this treaty being made public. They have already sounded out the Government of Colombia with respect thereto.

Mr. HATFIELD. Does the Senator take the position that the Secretary of State would be making the treaty public if he were to turn it over to the Senate of the United States in secret executive session?

Mr. HARRISON. Does the Senator think that if this treaty were to be made public and the Senator knew everything that was in it, the consideration of this tariff legislation would be expedited thereby?

Mr. HATFIELD. I believe so.

Mr. HARRISON. Would the Senator say that he would stop talking if the State Department were to make it public?

Mr. HATFIELD. In response to that inquiry on the part of the able Senator from Mississippi—

Mr. HARRISON. Do not carry the idea that I want the Senator to stop talking.

Mr. HATFIELD. I do not misunderstand the Senator from Mississippi at all. I represent a State, as does the Senator from Mississippi. That State has certain interests involved in any tariff legislation which comes before this body. The Senator is interested in long-staple cotton; he is interested in turpentine; he is interested in a great many industrial products.

The Senator from West Virginia is likewise interested in some of the very products in which the Senator from Mississippi is interested, and the reason that the Senator from West Virginia has been discussing this legislation is due to the fact that it is foreign to the policy of our country in administering tariff rates, and of course the people of West Virginia are very much concerned as to how much protection they will have, and how well they will be protected. They have the conviction, Mr. President, that the Representatives in the House of Representatives from the State of West Virginia and the representatives in the Senate from the State of West Virginia are better informed and know

more about how to protect the industries of the State of West Virginia than the President of the United States or any individual or group of individuals that the President of the United States may designate to fix rates, with the idea of either protecting the industries of my State or protecting the industries of any other State.

Mr. HARRISON. May I say to the Senator that I admire his convictions. I know he is a protectionist, and he does not have to apologize about his convictions on the subject. I am quite sure that there is no one here who is in favor of higher tariff duties than the Senator from West Virginia. I have no fault to find with him on that.

Mr. HATFIELD. I cannot agree with the Senator there. I do not believe in embargoes. I do believe in reasonable tariff rates.

Mr. HARRISON. I know the Senator is honest in that conviction, and when I asked him whether, if this treaty should be made public, or if he should be informed about all the terms of the treaty, he would then be willing to have an agreement limiting debate, I did not mean that he should not speak on any amendments as they came up. I listened to the Senator the other day for quite a long time. He made a very elaborate and a very illuminating speech. I thought he had exhausted the subject.

Mr. HATFIELD. Does the Senator agree with it?

Mr. HARRISON. No; I do not agree with the Senator's speech, as I do not agree with much in which the Senator believes, but at least it was a long speech, and it was an elaborate speech, and I thought that the Senator had concluded, and I was hopeful that we might—

Mr. HATFIELD. I will say to the Senator from Mississippi that I am not going to make a speech this evening. It is my purpose, if I have the opportunity, to discuss the chemical industry as it presents itself in the State of West Virginia. But that will not be a long, drawn-out address. It certainly will not be as long as the chemical address that I delivered here in 1930, at which time I had the able support and the very great friendship of the Senator from Mississippi, which I appreciated, and which made possible the protection of the chemical industry not only in West Virginia but throughout this country.

Mr. HARRISON. Well, if it is half as long as that speech we might get through here at the end of next week.

Mr. HATFIELD. It is not half as long, may I say to the Senator from Mississippi.

Mr. President, I take it that we are denied the opportunity to be taken into the confidence of the executive department of our Government upon this treaty between the United States and the Republic of Colombia.

A majority of the Congress of the United States has not hesitated to trust the President of the United States with practically everything, industrially speaking, monetarily speaking, which ordinarily belongs to the Congress of the United States, and it seems to me a small matter indeed when a Senator or a group of Senators ask for the substance of a treaty which has been negotiated and which was signed, according to the press-release reports, December 15, 1933, and all that remains to put it into operation is the passage of the pending bill which will give authority to the President of the United States and not the Senate of the United States to approve or to ratify this treaty.

I submit, Mr. President, that when the Congress of the United States passes this bill by a majority vote, giving the President the power to ratify an instrument which now requires the votes of two-thirds of the Senators present and voting, that is going a long way in the direction of disintegration of the fundamental principles of the Government of the United States, which is supposedly protected by the Constitution.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield.

Mr. LONG. I was called away from the Chamber on some business and have just been able to return. I want to find out from the Senator what happened as the result of the Senator's discussion with the Senator from Mississippi

about the treaty with Colombia. Has any enlightenment been spread on that matter in my absence?

Mr. HATFIELD. I have not received any. I may be a little bit dense upon the subject, but up to the present time I have not received any light upon the subject as to what is in the treaty, I will say to the able Senator from Louisiana.

Mr. LONG. What information did the Senator glean with respect to that matter while I was away? Did the Senator from Mississippi look as if he would do anything more with respect to the matter than he had done, and, if so, did he say he would let us in on the matter?

Mr. HATFIELD. Well, the Senator from Mississippi talked knowingly about it.

Mr. LONG. He talked as if he knew something about it?

Mr. HATFIELD. He talked as if he knew something about it, but he did not take us very far into his confidence, Mr. President.

Mr. LONG. I was hopeful that before the Senator from Mississippi decides to sit up all night here, keeping us in the dark, that he will just let a little light shine in here, and that light might save some of this night business. In other words, it seems to me that "midnight" is the kind of policy we have with respect to this tariff bill. Senators insist on putting some nighttime on it. They put everybody in the dark. I understand that one Senator from the West has been smiling because of his belief that he has gotten himself in the clear, and they are not going to bother him; but, on the other hand, I understand from the sub-rosa movement that his crowd is the first one which is going to get the ax.

This treaty with Colombia seems to throw an air of mystery about the proceedings. In other words, we can legislate a whole lot quicker if we know what we are legislating on. It is very hard to make men get up and vote when they do not know but they may be sentencing themselves to death; and if we knew what we were voting on and just what particular situation we were developing, it would be better.

I have not the same information on that treaty, of course, that other Senators have, and I may be incorrect; but I read a news article this morning, which I loaned to my friend from Ohio, and, if the Senator from West Virginia will pardon me, I will read just an excerpt from that article. Here is a statement about this treaty which appeared in yesterday afternoon's Washington Times, May 24, on page 3, column 1:

VOTE ON TARIFF HELD BY FIGHT ON TREATY

By William K. Hutchinson

A Republican drive to force publication of a new commercial treaty with Colombia served today to block Senate action on the administration bill conferring broad tariff powers on the President.

The Republicans charged that terms of the treaty negotiated last December would prove that the administration is planning to sacrifice certain American industries in order to expand America's foreign trade.

NEGOTIATED SECRETLY

They demanded adoption of a resolution by Senator HATFIELD (R.), of West Virginia, directing the State Department to send the treaty to the Senate.

The treaty was negotiated secretly and has been held in confidence. The administration originally intended to present it to the Senate for ratification; but if the new tariff bill is enacted, it will be revised into a reciprocal trade agreement and put into effect without Senate concurrence.

International News Service learned that the United States and Colombia agreed first to place no export taxes on products exported to each other.

In other words, the beef we have now coming in from Uruguay and the Argentine will be exported from Colombia into America a great deal easier.

Mr. HATFIELD. Mr. President, of course, under the Constitution America cannot impose an export tax, but I understand the Republic of Colombia does impose such a tax.

Mr. LONG. Yes. I read further:

They also agreed to reduce import duties or tariffs on their imports from each other.

MELLONS BIG BENEFICIARIES

The largest importers into the United States from Colombia are the Gulf Oil Co. and the United Fruit Co.

I stop reading long enough to say that I understand a gentleman whose name is Victor Cutter, who was president of the United Fruit Co., has been down here lobbying considerably for this bill to be passed. I received the information on a number of occasions that the United Fruit Co. is very anxious to have this trade agreement consummated and to have this bill passed. Mr. President, if the United Fruit Co. had its way, it would have no other fruits sold in this country except tropical fruits. Every time it brings a shipload of fruit from a foreign country it means that some apple merchant or some orange merchant or some lemon merchant or other fruit merchant or planter or farmer loses that much business.

I will read a little further:

The family of Andrew W. Mellon, former Republican Secretary of the Treasury, controls the Gulf Oil Co., while Victor Cutter, influential Republican in Boston, is the former head of the United Fruit Co.

What is happening is this: They are hacking us here with a two-edged sword. The Republican patriots in the United Fruit Co. and the Democratic patriots in the International Mercantile Marine are both advocating that we drop partisanship and give the United Fruit Co. and the big packing houses and, on top of that, the big oil companies, the right to bring into the United States everything they desire from the South American countries; that we should have no tariffs and should let the poor farmers' wool go down 35 percent more, as it already has since this bill was brought in here, and let the beef—to raise the price of which we have appropriated \$150,000,000—spoil on the counters of the country, because of the beef of the Argentine and Uruguay which is being imported into the United States right now.

If the Senator will pardon me for taking up so much time, I will read further from the article:

Senate leaders were informed the treaty called for a reduction of the tariff on oil and fruits.

"Oil and fruits!" Why, certainly. Let them bring their fruits in here. We raise oranges in Louisiana, but we cannot compete with them with the kind of labor they have down there. Then let them bring their oils in, their vegetable oils, their tropical oils; and let them bring in various other products. We cannot compete with them. I read further:

With a pledge against imposing any tariffs on coffee or bananas.

We do not have any tariff against bananas, so far as I know; but, Mr. President, this is one of the few times in the history of this country when the United States Senate has been called upon to legislate in an atmosphere of mysticism and crypticism. We are today importing from Colombia and from Uruguay and from Venezuela products into this country that are penalizing and destroying the business of the American farmer, and we are told that a treaty has been made with the Republic of Colombia, that something else has been cooked up, signed, sealed, and delivered, and they do not dare let the United States Senate have it, because they do not want us to know for whom they have the ax sharpened. They are today telling Senators—big, grown-up, 21-year-old men, supposed to be legislating for the benefit of the American people, supposed to be charged with the duty of ratifying treaties—and boldly and openly telling them that they are not going to let them see what is in that treaty until they get the pending bill across. It makes us look like children; I should say "stepchildren." The idea of the Senate being denied the opportunity to know what is in a treaty or trade agreement under which somebody has got to lose business, under which, perhaps, some poor man interested in cottonseed has got to lose what business he now has in cottonseed oil. Yet they say, "We have got the thing all signed, sealed, and delivered, and we are not going to let you have that treaty." Where is that treaty? What is in that treaty?

Who was at the anointing when they were signing up this royal document that is not to be seen by the common herd that sits in the United States Senate and that ordi-

narily would pass upon the validity of that thing? Why can we not get that treaty? I should like to know what there is under the barrel. What has been cooked up for us? Who is going to get the first taste of the knife that is being sharpened to cut the American people's throat? Who is going to get the first trip to the block?

Let us find out how we are going to start the guillotine going. Who is first going to go under the knife? Apparently whoever is covered by this treaty with Colombia. That will give some indication. Instead of having all this hidden mystery, when the Senator from Mississippi very patriotically agrees to do what is requested, we will have as little of the atmosphere of confusion as possible. Why not sweep away this mist of misunderstanding so far as we can and bring that Colombian Treaty in here for the visa of the United States Senate. That is what we want to know. Let us have all this confusion swept away. Let us remove the cause for it. Let us know what is under the barrel. Let us know what is cooked up. Let us know what we are going to be expected to swallow so far as we can.

I would go a little bit farther. I understand that they are already negotiating a large number of other treaties. These "brain trusters" have their pencils all sharpened—these little, low-ceiling fellows with bifocal glasses over their eyes—and are mapping out more of these interchanges and exchanges than have ever been heard of. I would go farther. I would attempt to obtain information up to date as to what has been done about these negotiations. I think we should be entitled to that; but, at least, there ought to be no hesitation in bringing that treaty in here.

Mr. HATFIELD. Mr. President, the failure of the State Department to place this treaty with Colombia before the Senate of the United States, because of the refusal of the Colombian Government officials to permit the Congress of the United States to see this treaty, is the most humiliating and most abject act I have ever heard of in the history of our Government.

Mr. LONG. Mr. President, let me correct the Senator. That is not the reason. They found out another reason. I can state to the Senator that I reliably know that the State Department does not now contend that the reason they do not give us that treaty is because Colombia does not want us to have it; that is not the ground upon which the State Department, so I am informed, is refusing us that treaty. It is on the ground that they do not think it is to the public interest that we know it. That is the ground, not that Colombia is refusing it, but on the ground that it is not best that we know. In other words, "it is not meet you know how Caesar lov'd you", as we will remember, for you would be infuriated to sudden mob action, or something of that kind. In other words, the Secretary of State does not want the people of Louisiana to find out how much he loves them, because the last time he expressed any love for us he did not hold the ax behind his back; he had it right square over our heads, and it took some good hard work to get it away from there; but this time these loving professions are in this hidden document, and I should like to have such affection displayed as that in the open Senate, so we might review the document. The reason he will give—I will stake my reputation on it—will be that he does not think that we ought to know all, not because Colombia has declined to give its consent, but because he does not think it is best that the public be allowed to have the knowledge of what he has got in the treaty because of other arrangements he has in hand. That is the reason.

Mr. HATFIELD. Mr. President, it seems hardly possible, and yet, there is no other construction that can be placed upon the act of the State Department in permitting a foreign government to dictate to this Government and to the Congress of the United States, as has been done in the refusal of the State Department to lay this treaty before the Senate at this time, than that we admit our fear of Colombia, or that there is something contained in the treaty which the administration is afraid to disclose.

To my mind, the American people will question the Americanism of those Senators who will accept the dictation of a

foreign government which, having entered into a treaty with the United States, now publicly states that the Senate of the United States shall not function.

Mr. President, the Congress of the United States, in abdicating its powers and responsibilities under the Constitution, has apparently indicated to the appointed officers of our Government and to representatives of foreign nations our lack of courage and lack of Americanism.

Unless there is contained in the treaty some promise on the part of representatives of the State Department that the Senate could not endorse or ratify, why the secrecy?

Yet, Mr. President, I want to be fair. The reason, direct or implied, given by the State Department for the failure to present the treaty to the Senate warrants the belief that the State Department has bowed to the dictation of the officials of the Colombian Government. However, it is quite possible that the arbitrary and most unusual action of the officials of the Colombian Government has been inspired by those Americans holding valuable concessions in Colombia and who succeeded, seeking their own enrichment, in securing favors through this treaty that the Senate or the American people would not endorse or ratify.

Mr. President, there is a great hue and cry over our land on the part of many asking for the early adjournment of Congress. Is there any wonder that the Senate of the United States is held in such low esteem by the American people when the leaders of the Senate permit a foreign power to dictate as to when and how we may carry out our constitutional obligations?

A few years ago those who now have the honor of representing the majority party in this body clamored long and loud for open public consideration of all treaties and all confirmations of public officials?

Why the change?

What is there in this treaty to conceal?

This is the place for its consideration, and because of that fact it should be dealt with openly and in public.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BONE in the chair). Does the Senator from West Virginia yield to the Senator from Ohio?

Mr. HATFIELD. I yield.

Mr. FESS. The Senator is now discussing the one item in the whole procedure that was called to the attention of the Senate by the Senator from Arkansas [Mr. ROBINSON] last Monday, when he asked whether we on this side of the Chamber would agree that such proceedings should be public, insinuating his belief that they ought not to be public. His statement was, referring to the proceedings leading up to the treaty or agreement:

Does the Senator take the position that such hearings as may be had should be public?

My answer was:

I should think so.

The Senator from Arkansas continued:

Why does the Senator distinguish as to hearings between treaties and an executive agreement? The object of an executive agreement is to make a mutually favorable bargain between the two contracting nations. Does not the Senator realize that if the matter were to be heard in public and at length it would tend to embarrass both the governments which were prospective parties to the agreement?

In other words, it has been claimed all along that one of the things necessary is secrecy, and that right must be granted to the President. The argument here is, not in the language of ex-President Wilson, open covenants openly arrived at, and not in accordance with his famous statement in the North American Review of October 1909, where he elaborately discussed the question of secrecy in tariff making, denouncing it as in violation of every standard of integrity. Not in accordance with those statements is the argument offered here, but for some reason not explained, except as affording an opportunity to get better terms, it is claimed that the proceedings should be conducted in secret.

If the Senator will permit further, of course we all agree that treaty making is an Executive function. We all agree

that in the making of a treaty the Executive, who is our representative so far as the United States is concerned, should be free, with no interference so far as any of those incidents that might come from publicity, and that nothing should be made public which in his judgment ought not to be made public. We are not finding fault with that.

Mr. HATFIELD. Absolutely not.

Mr. FESS. But the Constitution of the United States, in giving the treaty-making power, which is a sovereign function, into the hands of the President, not requiring it to be made public while it is operating under his direction, requires that the treaty shall come to the Senate and that it must receive the approval of two-thirds of the Members of this body before it can be effected. The only reason why secrecy is permitted on the part of the Executive in making such an agreement is that it will be brought to light later, and must not only be approved here, but must be approved by two-thirds of the Membership of this body before it can be effected.

Now, to state, as is stated by the Assistant Secretary before the committee, "I cannot give these terms that are to be considered but I can suggest that if this bill is enacted into law, then I will be permitted to give the items", means there is something secret about it. It is not only secret in its initiation and in its making, but it is going to be secret in its effectiveness when it shall have been completed. That never was in the minds of the makers of the Constitution and ought not to have the approval of this body at this time.

If the Senator from Mississippi [Mr. HARRISON] means that we are not to have the agreement or treaty made public because the people are not to know what it is, then I think an apology is due to the country for such a statement.

Mr. HARRISON. Mr. President—

The PRESIDING OFFICER. Does the Senator from West Virginia yield to the Senator from Mississippi?

Mr. HATFIELD. I yield.

Mr. HARRISON. The Senator from Mississippi never stated that the people of the country must not know. The Senator from Mississippi stated he thought it would be unwise to make it public at this particular time, because and for the reason that it is apparent to the Senator from Ohio, as it is to others here, although I shall not ask him to admit it, that it would be used as a vehicle to discuss and discuss, and delay the consideration of the tariff bill.

Mr. FESS. Suppose we do?

Mr. HARRISON. I have been here too long and understand parliamentary tactics a little too well to permit, if it is in my power to prevent, such a matter being used as a vehicle for delay.

I will say to the Senator from Ohio that the agreement is bound to come to the Senate sooner or later for ratification and the Senate will have to pass upon it. Of course, if it is decided that the agreement can be brought into conformity with the pending legislation, it will not be necessary that it come before Congress. I stated previously why it has not been made public. There is no need for me to repeat the statement. I am informed by the State Department that public notice was given many months ago that the treaty was being negotiated, and that many of the persons who felt themselves interested in it and had views about it presented their views to the State Department.

Mr. FESS. The Senator is not talking the way the leader on the other side of the Chamber talked. His leader was demanding that secrecy be permitted.

Mr. HARRISON. That secrecy be permitted?

Mr. FESS. Yes.

Mr. HARRISON. I think for the time being it would jeopardize the interests of the United States to make the treaty public, for the reason I stated a while ago, that there are other nations of South America who are interested in some of the same matters that are involved in the treaty or agreement with Colombia. They have a right under the favored-nation clause to have the same treaty. If we make public now and should approve the treaty or agreement with Colombia at this time those other countries which have the

favoured-nation clauses would have a right to the same favored treaty, as the Senator well knows.

Mr. FESS. Yes; and they ought to have.

Mr. HARRISON. They ought to have; but it is more advantageous to the United States if we can work out an agreement with those countries quite similar—

Mr. FESS. In secret?

Mr. HARRISON. I did not say in secret—quite similar to the agreement we have with Colombia. There has been no secrecy about this other matter.

Mr. FESS. Oh, yes.

Mr. HARRISON. No; there has not. Public notice was given that these negotiations were on. Interested persons have come and appeared.

Mr. FESS. Nobody knows what is involved.

Mr. HARRISON. When the treaty is made public and comes to the Senate it will be discussed. Under the proposed legislation that is now before us, before any trade agreement is concluded, and when the negotiations have just started, in their preliminary stages, notice will be given, and every interested person will have a right to come and appear, under such rules and regulations as the President may prescribe. Nothing could be fairer; and I may say to the Senator—I am talking directly to the Senator. While I am talking I want the Senator not to read but to listen to me.

Mr. FESS. I am hearing what the Senator says.

Mr. HARRISON. We heard it insisted all around here, and it was said by witness after witness and in speech after speech in the initial stages of this discussion, that we must have a hearing of interested persons before these reciprocal-trade agreements shall be made.

Mr. FESS. And in public.

Mr. HARRISON. No; not in public.

Mr. FESS. Yes; in public.

Mr. HARRISON. We did not hear anything about the hearings being public, and nothing was said by the members of the Finance Committee on the Senator's side about public hearings. They know that whenever it is proposed, in the interest of this Government, to enter into a trade agreement with a foreign country, and a public hearing is held, and the other country is informed of everything that our people say about it, the right results cannot be obtained, and it does not work to the advantage of this Government.

We are trying here to do something to the advantage of the American people; and so, after Senators on the other side had talked for days and days, and the press that their party controls had urged the importance of interested persons having an opportunity to be heard, I myself went to the President and said that some Senators on the other side of the Chamber felt that the passage of this bill could be expedited and much of the opposition to it would be withdrawn if we should write into the bill a provision for giving interested persons a hearing. I am not at liberty to quote the President, but the President never had anything else in his mind but to give interested persons a right to be heard.

Mr. FESS. Then why is it not in the bill?

Mr. HARRISON. Of course, however, it ought to be under rules and regulations. So I proposed the amendment, and the State Department endorsed it, and we have written it into the bill.

The truth of the matter is that some of those on the Senator's side could not be satisfied under any circumstances. They want to make political capital out of this matter, and they can go their route on it as much as they please; but whenever they do they will find the Senators on this side of the aisle, with the exception of a very few, fighting to sustain this bill. The bill is going to pass, and we are going to stay here until it does; and I serve notice now, Mr. President, after 10 days of patience, that Senators who yield must abide the consequences. We are going to enforce the rules of the Senate on this bill.

Mr. FESS. Mr. President, will the Senator from West Virginia yield?

Mr. HATFIELD. I yield to the Senator.

Mr. FESS. There is no need of any further statement from me or any other Member of this body as to the demand for secrecy in tariff making. That is the argument with which the Senator from Mississippi has just closed his statement; and, no matter what may be his subsequent explanations, he has committed himself to the proposition that these proceedings must be secret. That is what we are resisting. We demand that whatever is to be done by the Executive shall be brought to this body before it shall become effective.

The Senator says, "We are going to enact this bill, because we have the votes." Of course he has the votes, and of course it will be enacted; but there will be a second enactment within 2 years from now, and the Senator from Mississippi is one of the first Senators who will realize it. Let him take that and think it over for a while.

Mr. HATFIELD. Mr. President, the Senator from Mississippi speaks of filibustering and of playing the game of politics. I am nearing the conclusion of my first term in the Senate of the United States. When I came here I was on the majority side; and I have the mental impression, which I shall take away with me, that there was no man on the then minority side who played a bigger game of politics against the Republican organization which was then in control of the Government of this Nation than the senior Senator from Mississippi.

I am not playing politics. I am trying to defend my State. I am trying to defend its industries. I have the conviction that there is only one way in which we can continue the standard of wage which is enjoyed by the 48,000,000 toilers of this Nation, maintaining them far beyond the standard of living of the European or the Asiatic. As long as I am in public life, as long as I have the opportunity to vote in this body or any other body, it will be my great aim and my greatest ambition to protect the toilers of the State of West Virginia in the tin-plate, the pottery, the china, the glass, and the chemical and other industries of that great, growing State.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HATFIELD. I yield to the Senator from Louisiana.

Mr. LONG. I want to see if we cannot expedite the passage of this bill and get politics out of it.

Mr. HARRISON. Mr. President, I make the point of order that the Senator has spoken twice today on the same subject matter.

Mr. LONG. I only wish to ask the Senator a question.

Mr. HARRISON. I make the point of order to the Senator from West Virginia.

Mr. HATFIELD. I have not spoken twice today. This is the first time I have spoken.

Mr. HARRISON. The Senator has yielded in his speech many times and allowed other things to come up that were not questions. The rule of the Senate is that a Senator can yield only for a question.

Mr. HATFIELD. I have yielded to the Senator from Mississippi about as often as I have yielded to any other man in this body.

Mr. HARRISON. Mr. President, I withdraw my point of order for the present; but I serve notice, as I served it a moment ago, that the rule of the Senate will be enforced, and I shall make the point of order that any Senator who shall speak twice on this subject in one day cannot again take the floor.

Mr. LONG. Mr. President—

Mr. HATFIELD. Does the Senator from Mississippi maintain that I have spoken twice upon this subject today?

Mr. HARRISON. The Senator has permitted other Senators to interrupt him and make speeches many times today. I withdraw the point for the present, however.

Mr. HATFIELD. That is true; but I wish to ask the Senator from Mississippi—

Mr. HARRISON. I withdraw the point at this time.

Mr. HATFIELD. But when the Senator states that I have made two speeches today, the RECORD will not justify his observation.

Mr. HARRISON. I did not think it was necessary for me to state to the Senator from West Virginia, because he has been here a long time, that the rule of the Senate is that no Senator shall speak more than twice on any subject in any one day. That rule has been construed to mean that a Senator may yield for a question, but he may not yield for some other business, or for a speech by some other Senator. I am merely stating that so that the Senator from West Virginia may guide himself accordingly.

Mr. HATFIELD. The Senator from Mississippi should observe the rule himself.

Mr. HARRISON. The Senator from Mississippi knows the rules, and he will observe them himself and will see that they are observed.

Mr. HATFIELD. The Senator has not observed them today.

The PRESIDING OFFICER. The Chair understands the rule to be that if a Senator yields for more than a question he loses the floor.

Mr. LONG. Mr. President, I ask the Senator from West Virginia to yield for a question; and if I should transgress the rule in asking the question, I ask the Chair to interrupt me and protect the Senator.

I ask the Senator whether, in order to assist us in eliminating politics from this discussion, he would agree to accept the bill which was proposed by the Senator from Mississippi [Mr. HARRISON] and was passed by both Houses at the last session and endorsed by the Democratic Party in its convention, as a substitute for the pending bill, and cut out the politics. I am sure the Senator from Mississippi would be glad to nurse his own child.

Mr. HATFIELD. I shall be very glad, indeed, to do that.

Mr. HARRISON. Mr. President, will the Senator from West Virginia answer a question for me? Did I understand the Senator to say that he would vote for that bill?

Mr. HATFIELD. Which bill?

Mr. HARRISON. The Senator just said he would. I did not think he would.

Mr. HATFIELD. Mr. President, to my mind this treaty is an example of the manner in which our present tariff protection is to be destroyed.

Many Members of this body now seeking reelection begged and pleaded for an excise tax on petroleum. Our imports from the Republic of Colombia consist in a large measure of petroleum and gasoline. Assuming that this treaty with Colombia contains a promise on the part of the United States Government to reduce the tax on imports of petroleum 50 percent, such reduction would automatically apply to every nation with which we have a treaty with the most-favored-nation clause therein.

Mr. President, if the Senate of the United States should fail to demand the immediate presentation of this reciprocal trade treaty with Colombia, it should publicly apologize for the cowardliness about to be displayed by some Members of the Senate at the direction and dictation of the State Department and the officials of the Colombian Government.

Of course, Mr. President, administration spokesmen on this floor, even though they know that every Member of the Senate is conversant with the fact that they had nothing to do with writing this treaty, realize that the American people will bitterly resent our entering into a reciprocal trade treaty with Colombia, or any other country, which results in the American people, through the reduction of our import excise taxes by 50 percent, making a gift of from a million and a half dollars to more than \$2,000,000 yearly to the owners of the Gulf Oil Co. and the Standard Oil Co.

Based on imports of petroleum for 1930 from Colombia alone, this presumed decrease of 50 percent in the excise tax of one-half cent per gallon would have meant a gift of \$1,633,193 for that year alone.

Not only is this possible and probable but in addition thereto we may soon learn that the negotiation of this treaty saved the Gulf Oil Co., the Standard Oil Co., and the United Fruit Co. from the payment of an export tax to Colombia, which, I understand, would amount to an additional million or more dollars yearly.

Mr. President, the American public have been led to believe that the State Department, under the leadership of the Secretary of State and the Department, headed by Mr. George Peek, and I believe former Senator Brookhart, have been making surveys and listing articles and commodities produced in the United States in such small quantities and of so little consequence that such articles might be traded away under the authority sought for in the pending measure.

This problem I dealt with on May 1, 1933, in my analysis of the report of the Tariff Commission, sent to us in response to a Senate resolution offered by the able Senator from Colorado.

It is to be assumed that this same force has listed those articles or commodities, of which we produce, to their mind, an insufficient quantity in the United States, and which articles or commodities produced in foreign countries would be granted privileges which are now denied to them either as the result of tariff rates, sanitary requirements, or other import restrictions.

To my mind, Mr. President, the Senate of the United States should be able to secure some definite information as to the type of treaties which the State Department and other departments connected therewith would make with foreign countries if the authority sought in the pending measure is granted.

There reposes in the files of the State Department a treaty made with Colombia. This treaty, I understand, from the statement released by the State Department and the Colombian Government officials, was made as of December 15, 1933. This treaty is referred to in the press release furnished to me as a reciprocal trade treaty. To my mind there is no good and sufficient reason why the State Department should withhold this treaty from further consideration by the Senate. In fact, Mr. President, I know of no good and sufficient reason why this treaty was not presented to the Senate following the convening of the new Congress in January.

A reciprocal trade treaty between two nations presumably pertains to the principal commodities which one nation imports from the other, and vice versa. The Foreign Commerce Yearbook, published by the Department of Commerce for 1933, on page 188, lists the—

Imports and exports of principal commodities—total trade, and trade with United States (Colombian statistics).

I find in the list I have just referred to that in 1930 we imported from Colombia a million dollars' worth of bananas; 388,757,143 pounds of coffee, valued at 14 cents per pound, or \$54,426,000; some 653,277,260 gallons of petroleum, worth \$20,530,000; and a million dollars' worth of cattle hides. These are the principal commodities I find listed.

At the present time bananas and coffee are on the free list; therefore there would be nothing gained by Colombia in entering into a reciprocal trade treaty with the United States wherein we agreed that bananas and coffee would be admitted free of duty.

They are already admitted free of duty. Coffee is not grown in the United States, as we all know, and there is no justification for any man in the Congress of the United States, or anyone else who might have the responsibility, placing a tariff on coffee.

Therefore, Mr. President, any benefits which we grant to the Colombian Government in this reciprocal trade agreement must pertain to the importation of petroleum and animal hides. Animal hides bear a duty of 10 percent, I believe, while petroleum bears an excise tax of one-half cent per gallon.

Mr. President, in view of the low value of cattle hides, it is hardly possible that Colombia entered into this reciprocal trade agreement with the United States in order to secure a lower tax on the cattle hides which they export already to the United States.

This being true, the only benefits which the people of Colombia presumably secure through this secret and much-concealed reciprocal trade agreement must come from an agreement made by the State Department whereby the \$20,000,000 worth, or 653,277,260 gallons of petroleum which

we import will be entered into the United States at a lower tax than is paid at the present time.

If I understand correctly the meaning of the most-favored-nation clause, as soon as we present to Colombia the opportunity and the privilege of dumping her \$20,000,000 worth of petroleum into the United States at lesser rates than now prevail, that same privilege must automatically go to all the other nations with which we have treaties containing the most-favored-nation clause.

Mr. President, to many real Americans interested in the upbuilding of their country, the lack of interest on the part of some of our larger industries in the question now pending before the Senate has been the subject of considerable comment. When it is said or contended that in giving to the Colombian people the right to dump their \$20,000,000 of petroleum into the United States at a lesser tax than is now paid by them, we are benefiting the people of that country, that is a false statement.

As a result of the inspiring leadership of the senior Senator from California [Mr. JOHNSON] the Senate of the United States is aware of the fact that the principal owners of Colombian oil lands are the Gulf Oil Co. and the Standard Oil Co. These two gigantic American concerns possess, through subsidies, large and extensive holdings of oil lands in Colombia. Naturally, the principal market for their product is the United States.

A little more than a year ago the Senator from California developed the fact, at hearings before the Finance Committee, that in order that certain concessions in which Americans were interested should be confirmed by the Colombian Government through legislative sanction, the State Department through Assistant Secretary White and later through a Mr. Mathews, virtually forced the officials of the National City Bank to pay over to the Colombian Government some \$4,000,000 which the National City Bank officials were withholding because of the failure of the Colombian Government to make good certain conditions which had been agreed to when a loan was privately consummated between the National City Bank and the officials of Colombia.

There has been considerable talk of the benefits which accrue under reciprocal trade agreements, and in the case of the particular case before us, namely, the reciprocal trade agreement with Colombia, three of the principal concessionaires in that country are American concerns, namely, the Gulf Oil Co., which possesses what is known as "the Barco concession"; the Standard Oil Co., and the United Fruit Co.

It is my understanding, Mr. President, that this treaty was entered into with Colombia with the understanding that it would become effective when ratified by the legislative bodies of both countries. I know nothing of the action taken in Colombia, but I do know that such treaty has yet to be presented to the Senate for ratification.

Colombia statistics, as shown in the report published by the Department of Commerce for 1930, show that during the year 1930 the United States imported from Colombia 653,227,260 gallons of petroleum, valued at some 3 cents per gallon. On the basis of a reduction of 50 percent in the present excise tax of one-half cent per gallon, the United States would make a gift of from a million and a half dollars to two million dollars per year, on the basis of 1930 imports, to the Gulf Oil Co. and the Standard Oil Co.

While the Secretary of the Interior is clamoring for legislation which will prevent American oil products from supplying the demands of the American market, this treaty will open the door for our domestic oil distributors and refiners to continue to import Colombian and other oils at a reduction of 50 percent in the present excise tax on imported oils. Consistency, Mr. President, is said to be a jewel. Apparently those American oil companies holding oil concessions in Colombia look upon petroleum as a rare jewel.

Unless the proponents of the reciprocal trade treaty measure now before the Senate wish to contend that they had in mind having this treaty ratified by Executive action alone, then I feel we are justified in believing that it was expected that the Senate should ratify this treaty.

For that reason, Mr. President, I ask immediate consideration and favorable action on the resolution which I have presented for consideration.

Mr. President, of course, I know it may be useless to ask for the immediate consideration of this resolution, for the very good reason that it has already been stated by the Senator who champions the reciprocal tariff bill, the senior Senator from Mississippi, that under no circumstances will he advise the Secretary of State or the President of the United States to submit this treaty to the Senate of the United States even behind closed doors in secret session.

However, Mr. President, I ask for immediate consideration of my resolution.

Mr. HARRISON. I shall object, if the Senator is asking for immediate consideration of the resolution.

Mr. LONG. Mr. President, I move that the pending business be temporarily laid aside, and that the Senate proceed to the consideration of the resolution submitted by the Senator from West Virginia [Mr. HATFIELD] calling upon the Secretary of State to transmit immediately to the Senate a copy of the reciprocal trade agreement between the Governments of the United States and Colombia.

The PRESIDING OFFICER (Mr. BONE in the chair). It is the understanding of the chair that the motion is not in order; that such action can only be taken by unanimous consent.

Mr. HARRISON. Does the Senator from Louisiana mean to make his motion?

Mr. LONG. I mean to make the motion to lay aside the pending bill until we find out what was done with the treaty between the United States and Colombia.

Mr. CLARK. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK. The Senator from West Virginia still has the floor, as I understand.

Mr. HATFIELD. No; I yielded the floor.

Mr. HARRISON. Mr. President, I suggest the absence of a quorum, and ask for a roll call.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Hebert	Pope
Ashurst	Cutting	Johnson	Robinson, Ark.
Austin	Davis	Kean	Robinson, Ind.
Bachman	Dickinson	Keyes	Russell
Bankhead	Dieterich	King	Schall
Barbour	Dill	Lewis	Sheppard
Barkley	Duffy	Logan	Shipstead
Black	Erickson	Loneragan	Smith
Bone	Fess	Long	Steiwer
Borah	Fletcher	McCarran	Stephens
Brown	Frazier	McGill	Thomas, Okla.
Bulkley	George	McKellar	Thomas, Utah
Bulow	Gibson	McNary	Thompson
Byrd	Glass	Metcalf	Townsend
Byrnes	Goldsborough	Murphy	Tydings
Capper	Gore	Neely	Vandenberg
Caraway	Hale	Norbeck	Van Nuys
Carey	Harrison	Norris	Wagner
Clark	Hastings	O'Mahoney	Walcott
Connally	Hatch	Overton	Walsh
Copeland	Hatfield	Patterson	Wheeler
Costigan	Hayden	Pittman	White

Mr. LEWIS. Mr. President, I wish to announce the absence of the Senator from North Carolina [Mr. BAILEY], the Senator from Massachusetts [Mr. COOLIDGE], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Florida [Mr. TRAMMELL] occasioned by official business, and the absence of the Senator from California [Mr. McADOO] occasioned by illness.

The PRESIDING OFFICER (Mr. CLARK in the chair). Eighty-eight Senators having answered to their names, a quorum is present.

Mr. HARRISON. Mr. President, do I understand that the Senator from Louisiana insists on his motion?

Mr. LONG. No. I have decided to let the responsibility rest right where it ought to belong, namely, in the State Department, for not being willing to disclose this treaty. I do not want the Senate to take the position of relieving the Department of State. So I will not insist upon the motion, and, if I may, I will withdraw it.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. HASTINGS. Mr. President, this is the most far-reaching tariff legislation that was ever brought before the Congress. It is true that it is not the ordinary tariff bill in that it does not undertake to deal with the thousands of items in a general tariff. I assume that, because of the narrow issue involved, it was hoped and expected by the proponents of the legislation to pass it through the Senate very quickly.

When it was first taken up for consideration in the Senate Finance Committee the distinguished chairman expressed the hope that we might conclude our hearings upon it within 2 or 3 days. Certain members of the Cabinet, as well as some of their assistants, were first heard, and, in addition to that, the Chairman of the Tariff Commission. As I recall, when we approached the point of hearing those who were opposed to the measure, the clerk reported that there were 186 persons who desired to be heard.

I think the time fixed for hearing them was increased from the 2 days suggested by the chairman to 3 days. The hearings show that 4 days were given to hearings on this important measure—Thursday and Friday of one week and Monday and Tuesday of the following week. The hearings lasted all day, and some of us who had important matters in the Senate were able to attend but a small part of the time. The bill was taken up in the Senate on Thursday, May 17, and my recollection is that the very next day the distinguished and genial chairman of the committee suggested that we, at that time, agree that, beginning on a certain day, Wednesday of the following week, there might be a limitation of debate upon this measure. For the last few days we have been meeting at 11 o'clock instead of 12 o'clock, the usual time. The distinguished Senator from Oregon [Mr. McNARY], the leader on this side of the Chamber, on May 17, called attention to the fact that legislative scenes had been shifting rapidly; that within the past 5 or 6 days we had had four measures of major importance before the Senate for consideration; that they had come upon us with such rapidity that no one had had an opportunity thoroughly to study the hearings on the pending bill or to give to the subject matter the attention to which it was entitled. He expressed regret that the Republican members of the Finance Committee who had heard the testimony were not then present. He assumed that they would be, as under normal conditions they should be, in a better position to discuss the measure than would other Senators.

I thoroughly agree that we have been rushing headlong with legislation without giving it full and adequate consideration.

This proposed legislation is the most important of all, and I express the hope that the majority will not insist upon its passage until we shall have had the fullest opportunity to discuss it; and I express the further hope that the Senate will not be kept in session such a length of time on any day as will unnecessarily test the physical endurance of the Members of the body.

Assurance has been given by the distinguished leader on this side of the Chamber that there will be no filibuster; and I am quite certain there is enough loyalty to him on this side to make certain that that personal assurance will in no sense be violated.

My own discussion of this question will be somewhat lengthy, but I shall not enter into any discussion which I do not personally believe to be pertinent and of some importance.

I shall not discuss the question of the constitutionality of this proposed act for two reasons: First, it would greatly extend my remarks; and, second, because I think the splendid argument made by the distinguished senior Senator from Idaho [Mr. BORAH] was so complete in itself that there could be no reasonable answer to it.

In order that I may not take more time than is necessary, I have placed in type a greater portion of my remarks, and I propose to discuss the following phases of this subject:

First. I shall show that this proposed act is based upon an emergency, but that it, nevertheless, gives to the President authority to make contracts lasting as long as 6 years, unless during the next 3 years the measure itself shall be repealed.

Second. That the flexible provision left in the bill proposes to give the President authority, with the aid of the Tariff Commission, to reduce tariff rates or increase tariff rates by 75 percent, instead of 50 percent, as appearing on the face of the bill.

Third. That the definition of "duties and other import restrictions", found on page 4 of the bill, adds three additional methods of decreasing the tariff rates, thus making a total of five methods and thus giving to the President the full power absolutely to destroy the present tariff law.

Fourth. That the amendment placed in the bill by the Senate Finance Committee, known as section 4 and found on page 6, might very well be declared to be a sham and a delusion.

Fifth. Speculation as to what will be included in the bargaining list, drawn from statements made upon the subject by administration officials and others.

Sixth. A brief illustration showing that under the present law exports in leading commodities have actually increased in quantity, instead of having decreased.

Seventh. I shall discuss briefly the most-favored-nation clause in existing treaties and undertake to demonstrate that, while we may agree with one nation, importing into this country certain articles, the effect will be to permit other nations with which we do not bargain to have the benefit of such reduced rates.

Eighth. An analysis of the 1932 Tariff Act, proposed and put through the Congress by its Democratic Members, and the inconsistency of their position under a Republican administration, as compared with their position under the present administration.

Ninth. Finally, I shall read into the RECORD the important parts of speeches made in the Senate in September 1929 condemning the flexible provision of the tariff, which will remain in the law after this legislation shall have been passed, and which speeches point out the dangers of giving such great powers to the Executive.

EMERGENCY

The bill would add to the tariff law, at the end of title III, "Part III—Promotion of foreign trade." The new bill consists of one section only, known as section 350. The purpose of the bill is set forth in the beginning of the section. It is alleged to be "for the purpose of expanding foreign markets for the products of the United States", and then the following words are added in parentheses:

(As a means of assisting in the present emergency in restoring the American standard of living, in overcoming domestic unemployment and the present economic depression, in increasing the purchasing power of the American public, and in establishing and maintaining a better relationship among various branches of American agriculture, industry, mining, and commerce.)

It will be noted that the excuse for the proposed legislation is "assisting in the present emergency." It is the same excuse or reason given for nearly every important measure which has been passed since March 4, 1933. So far as I now recall, there are but two exceptions—the Securities Act and the regulation of the stock exchange.

It is difficult for me to find any sound reasoning for calling this an emergency measure. If the bill shall prove to be as effective and helpful as its proponents contemplate, then it ought to become a permanent part of the American system. If this be a dangerous proposal, there can be no warrant in adopting it. If it be expected that it will promote prosperity and restore the American standard of living, overcome domestic unemployment, increase the purchasing power of the American public, and establish and maintain a better relation among various branches of American agriculture, industry, mining, and commerce, it will accomplish a purpose that will please millions for all time. In view of the fact that all these purposes are desirable at all times, there is no possible excuse for limiting its operation.

The distinguished Chairman of the Finance Committee calls attention to the fact that it is designed to meet "the emergencies of international trade", to effect "a return of industrial and agricultural stability", and that "the bill is written to meet an emergency arising out of disastrous economic conditions."

The Chairman of the Finance Committee also calls attention to the fact that the authority of the President to enter into foreign-trade agreements shall terminate at the expiration of 3 years from the date of the enactment of the bill. The President is limited in his authority to a 3-year contract. If not terminated in 3 years, it may at any time terminate within 6 months. It will thus be seen that a contract entered into immediately after the bill becomes effective may last the 3 years; but it must at the same time be observed that just prior to the expiration of 3 years, the President may enter into another contract for another term of 3 years. So it is quite possible, under the provisions of the bill, within a short time after it becomes effective, for the President to execute contracts with foreign governments everywhere for a period running until December 1936, and then execute with the same countries additional 3-year contracts which will not expire until December 1939, plus a 6 months' notice.

The 3-year provision, placed in the bill for the purpose of emphasizing the emergency, may very readily extend to a period of 6 years without in any sense violating its provisions, and the Congress itself could not shorten the term. It will be observed that the contract does not have to be for a period of 3 years. As I have pointed out, it may be made in June 1934 and expire in December 1936, and may at that time be renewed for a full 3-year term.

This is the first emergency measure that contemplates an emergency for such a long time. But the Chairman of the Finance Committee seems to appreciate that this emergency measure may become permanent. On page 8989 of the RECORD he stated:

I am sure that the Senate will appreciate that that is a very wise provision, because if the agreements are advantageous to the United States in opening up new markets to us and in assisting in the sale of our exportable surpluses they ought to be preserved and ought to be maintained and ought to be continued for longer than 3 years.

But an examination of the testimony before the Finance Committee of the Senate shows that the distinguished Secretary of State, Mr. Hull, was impressed with the emergency when urging the approval of the bill. When he was being interrogated by the Senator from Pennsylvania [Mr. REED] with respect to notice to persons who were effected by change in the tariff, the Secretary said:

There is a panic on hand now.

When his attention was called to the fact that he opposed the flexible provision when he was a Member of the House, he replied:

Yes; there was not any panic then.

His attention was called to the fact that at that time, speaking of the flexible provision of the tariff, he said:

That was too much power for a bad man to have or for a good man to want.

The Secretary replied:

I wish the Senator would always agree with me on that, during normal times as well as during panics. That was an occurrence in normal times and not during a panic or emergency.

Further along, the Secretary said:

This is an emergency measure. I think the Senator had not arrived when I undertook to refer to the chief features of the bill. This is an emergency measure to deal with emergency panic conditions.

The Senator from Pennsylvania [Mr. REED] also called the Secretary's attention to an extract from a radio speech delivered by the distinguished Senator from Kentucky [Mr. BARKLEY] in October 1929 and inquired whether the Secretary had seen it. The quotation is as follows:

Not only do we insist that Congress has no right to confer upon the President the power to tax the people, but we insist that it is unwise to do it, whoever the President may be or whatever party he may belong to. This fight is not a fight over personalities. It has no more reference to Mr. Hoover than to Mr. Coolidge or to Mr. Wilson, or to any President who may be elected in the future. It is no answer to our objection to say that the power will not be abused by any particular President. We think

it has been abused in several instances in the past, and we have no assurance that it may not be abused at some time in the future.

The Secretary replied:

I expressly stated at the outset, when the Senator was asking questions, that the bill before us is not an ordinary measure to meet ordinary conditions. It is not an ordinary measure to meet emergency conditions. It is an emergency measure, temporary in its nature, to meet emergency conditions.

It is impossible to read the Secretary's testimony without reaching the conclusion that except for the emergency he would still believe that this power given to the President is—

Too much power for a bad man to have or for a good man to want.

The power to which he referred when he used that language was limited to the flexible provision of the tariff, which provided that the President could not do anything without getting the consent of the Tariff Commission, and the Tariff Commission was limited by certain fixed rules. So if at that time the Secretary thought that power was too much for a bad man to have or for a good man to want, I wonder, except for the emergency, what the Secretary would say with respect to this particular power.

There can be no more dangerous thing confronting a democracy than to have the legislative branch of the Government so influenced by the Executive that it passes on to the Executive its own powers and responsibilities upon the demand of the Executive that such power must be vested in him in order to meet an emergency. Patriotic citizens everywhere should bear in mind that their rights and their liberties are always in very much greater danger in times of depression than in times of prosperity.

Mr. CUTTING. Mr. President, will the Senator yield?

Mr. HASTINGS. I yield.

Mr. CUTTING. I do not want to interfere with the Senator's very able speech, but I was wondering whether 1932 was a year of depression, because in 1932 the Secretary of State said:

The proposed enlargement and broad expansion of the provisions of the flexible tariff clause is astonishing, is undoubtedly unconstitutional, and is violative of the conscience of the American Congress.

Mr. HASTINGS. I thank the Senator for calling my attention to that statement. I have a memorandum of it which I had intended to read a little more fully later. I am glad to have it appear just here, however.

Here we are at this very moment about to pass on to the Executive the power literally to destroy certain industries, as well as certain farmers of the Nation, and he may do it in an honest effort—

To restore the American standard of living, overcome domestic unemployment, increase the purchasing power of the American public, and establish and maintain a better relationship among various branches of American agriculture, industry, mining, and commerce.

His own judgment may be bad, or he may be poorly advised, and, having made a contract for 2½ years, if he becomes convinced that the length of time has not been sufficient to prove the plan successful, he may at the end of that time make a new contract, reducing the tariff on the products of new industries, so that for a period of 6 years, at least, the rights and protection now given under the tariff act will become uncertain. There can be no long-term planning by industries, and, in my judgment, the autocratic power which the President seeks will destroy the laudable purpose he now entertains.

FLEXIBLE PROVISION

Mr. President, I desire to discuss for a moment the flexible provision of the tariff law, and particularly with respect to some of the testimony offered regarding it.

Much has already been said on the floor of the Senate with respect to the position of the Democrats on the flexible provision of the existing tariff law. In the recent hearings before the Committee on Finance the Senator from Ken-

tucky [Mr. BARKLEY], in replying to the portion of his speech delivered in 1929, made the following observation, found on page 23 of the hearings:

Senator BARKLEY. At the time of that speech we were dealing with a one-sided provision empowering the President to levy taxes on the American people without regard to any international trade agreements, and, under the same circumstances, I would make the same speech again.

We are dealing now with an effort not only that has connected with it the phase of taxation, which is not, as I understand it, the prime object of this resolution, but an effort to regulate commerce with foreign nations, which we have the power to do under the Constitution, and I regard this resolution and the effect of it to be more in the nature of a regulation of commerce than it is a levying of taxes, or even in the relation of taxes, and it is entirely a different proposition.

Not only the conditions are different, as you have already pointed out, but the philosophy of this resolution is different.

The word "resolution" there is in error. The language should be "this proposed act."

The remarkable thing to me is that neither Secretary Hull, nor the Senator from Kentucky, nor any other Democrat who was so violently opposed to the flexible provision of the tariff, should have deliberately and purposely left in the pending bill the same flexible provision.

The junior Senator from Michigan [Mr. VANDENBERG], in a colloquy with the Chairman of the Finance Committee, called attention to the fact that the flexible provision remained in the bill, and further called attention to the fact that if this bill shall be passed we will have two tariff-reducing powers in existence. A further colloquy brought from the chairman of the committee a fact which had not theretofore, so far as I know, been emphasized, namely, that if this bill shall be passed it will be perfectly possible to reduce the tariff by 75 percent instead of 50 percent, which I think the public generally understand to be the purpose of the bill. At the present time, as the chairman of the committee admits, there could be a reduction, under the rule fixed in the present tariff law, by the amount of any difference found between the cost of production at home and abroad up to 50 percent, and then the President could by agreement with a foreign country reduce that same tariff rate by another 50 percent, so that a present tariff rate of 50 percent could, upon recommendation of the Tariff Commission, be reduced to 25 percent and then, by Executive agreement with a foreign country, be reduced again to 12½ percent.

In this connection it might be well to call attention to the testimony given by the present Chairman of the Tariff Commission. It will be found beginning on page 143 of the hearings before the Senate Finance Committee; and if Senators are interested in getting a true picture of the high character, the high purpose, and a due regard for his oath of office of that individual, I suggest they read that testimony.

Mr. O'Brien appeared before the House committee as well as before the Senate committee, and in both instances insisted that there was no difference in the President's power under the flexible provision of the tariff and the powers given to him under this proposed act. On page 144 the record shows that he said:

Now, we talk about the flexibility. This is known as the "flexible tariff." I regard the term, applied to our present law, as an extreme joke.

I desire to read from those hearings some of the testimony, beginning on page 150. Mr. O'Brien was the witness, and said:

Another thing I wanted to bring out to this group here, this committee—the present law is Presidential tariff making. The new law is Presidential tariff making.

Senator HASTINGS. I should like you to tell us just how that is. Why do you say it is Presidential tariff making? Do you eliminate from the consideration the entire Tariff Board, under the present law? Is it true that the Tariff Commission now has no functions to perform with respect to this principal provision of the tariff?

Mr. O'Brien. Why, of course, it has functions to perform.

Senator HASTINGS. Well, does it perform them?

Mr. O'Brien. Yes, sir; we bring in quite a few reports from time to time. They must be approved by the President.

Senator HASTINGS. Well, is it or not true that the Tariff Commission exercises an independent judgment; or is it, as I think I saw where you stated before the House committee, wholly subject to and under the control of the President?

Mr. O'Brien. The President appoints the Tariff Commissioners. Most men in positions wish to retain them and be reappointed.

Senator HASTINGS. Does that prevent you from doing what you think your duty is under this tariff act?

Mr. O'Brien. It does not prevent my doing it, or my associates.

Senator HASTINGS. Do you know of any other member of the Tariff Commission that you think is influenced by a fear that he will lose his job if he does not do what the President suggests with respect to a tariff? I think the country is entitled to know whether we have gone all these years under a false color with respect to that.

Senator CONNALLY. Yes; he will tell you.

Mr. O'Brien. The President appoints the members of the Tariff Commission. Every President has views on the tariff, up or down. His friends have views. I would not, for reasons of official propriety, disclose any concrete or specific incidents of this kind, either past, present, or I might say future, but I think that you know, Senator, that you have access to the President of the United States, and that every Senator, particularly of the party of the President of the United States, has access to the President. Tariffs are not a taboo subject. Every President has theories, has beliefs of what he wants to do regarding the tariff. At least, his senatorial and other friends have views of what they want to do. The President appoints the Tariff Commissioners. President Roosevelt will have the privilege, in the term for which he is now elected, of filling five of the six places on the Tariff Commission, and any President can pick out his kind of members of the opposite party, men who are more or less in sympathy with his point of view, assuming that he has a point of view. At all times, the White House and the Tariff Commission are not unrelated factors in the community. I do not wish to say more than that your own common sense and Washington experience will show you these things.

On page 151 this appears:

Senator HASTINGS. Well, I might say this, that I think somebody might be suspicious that that sort of thing was from time to time going on, but the shocking thing to me is that the chairman of that board should come before a committee and say that was a fact.

Senator CONNALLY. If it is a fact, why shouldn't he say it?

Senator HASTINGS. Well, I am just trying to find out.

Mr. O'Brien. And my statement is that I do not think, for instance, that in 1924 the Tariff Commission would have brought in a report changing the duty on wheat from 30 to 42 cents if they had known it would be received with profound disfavor and disgust by the then President of the United States, who was in that year a candidate for reelection. I do not think that you can separate the Tariff Commission's functions from the President of the United States and his personal interests.

On page 153 the following appears:

It looks to me that the power that you grant the President—this 50-percent reduction—is exactly the grant he has now, only you have substituted—

Senator HASTINGS. I wonder, just there, do you know whether or not your associates on the Tariff Commission will agree with that statement? Do you think you can get a single one of them to agree with that statement?

Mr. O'Brien. I think so. They are all within sight or sound, here. They can all be summoned here. They can all come here, and I would feel very reluctant to express views for them. They have not, any of them, been to me to protest over what I said before the Ways and Means Committee.

Senator HASTINGS. Well, remember now what you said. You said that he has power, now, and you said it, time and time again, and I insist that, under the law, he has not got it now until the Tariff Commission Act, and under your theory, as I get it, the Tariff Commission amounts to nothing, so far as this thing is concerned, so far as this flexible provision is concerned. Do you want to leave the record in that sort of situation?

Mr. O'Brien. Not having made that record, I would not like to leave it that way.

Senator HASTINGS. Well, you have just said that, time and time again.

Mr. O'Brien. I did not say the Tariff Commission amounted to nothing.

Again, on page 154, another question was directed to Mr. O'Brien by me:

Senator HASTINGS. Isn't there a rule by which the Tariff Commission must act?

Mr. O'Brien. Yes, sir.

Senator HASTINGS. You would not violate that rule just because the President suggested he wanted something done, would you knowingly violate that rule?

Mr. O'Brien. That tariff on wheat could be taken up, with entire propriety, at any time, and the law requires the Tariff Commission to take up the subject that the President or Congress—

Senator HASTINGS. But if you found the facts did not warrant you in recommending to the President that which he wanted done, you do not mean to tell the country and this committee that you, as a member of the Tariff Commission, would do it, do you?

Mr. O'BRIEN. No such situation would arise. Take on the wheat business; why have we not done anything on that for so long?

Senator HASTINGS. But you said just a moment ago if the President should indicate to the Tariff Commission that he wanted a certain thing done, the Tariff Commission would undoubtedly find a way to do it. Now, I ask you the question whether they would do that, in view of the fact that the law specifically sets forth the rules by which they must arrive at their conclusion?

Mr. O'BRIEN. These things are left in a very vague area. Nobody would be violating any law or any oath of office who reduced the duty on wheat at the present time, or particularly during the year when its selling price was less than its duty.

Senator HASTINGS. Well, suppose the President picked out something other than wheat, and picked out something that the facts would not permit you to do, to carry out his wishes. What would the Tariff Commission do under circumstances like that?

Mr. O'BRIEN. Why, I would go up and talk with the President about it and tell what the difficulties in the thing were, and any President has been very—all the Presidents, through the history of the Tariff Commission, have as a rule been very reasonable-minded about it. If you were to prod me too strongly on this, I am afraid my discretion would vanish, and I would tell you of one President under whom I did not serve, who became very angry at the Tariff Commission's attitude, and subsequently apologized to its chairman for speaking to him harshly upon the very issues that you raise.

I desire to observe here that this witness who insisted that the Tariff Commission was so controlled by the President that it would do just what he wanted it to do relates in a portion of his testimony a quarrel which a President had with the Tariff Commission because it did not want to do what the President wanted to have done. I read further:

I want only to say that you can see for yourself, gentlemen, the President is accessible to every member of this committee, let us say. Any President has other relations and interests in the world. Does it stand to reason that when there is standing on the President's desk a proposal of the Tariff Commission to reduce the duty of this white paper, let us say, and everybody knows that such a proposition is awaiting the President, a proposal to reduce the duty on that white paper—bad illustration, but I will keep on with it—50 percent, would it not occur to the common sense of all observers that people could get at the President? I mean, in a perfectly proper and intelligent and patriotic way, to call his attention to how bad we think it would be to reduce the tariff 50 percent. If that could not be done, just how does one account for the cases upon which the Presidents have not followed the Tariff Commission, the number of things they have sent back for reconsideration? It is no disrespect to the White House Office Building, with its groups of employees, to say that no one would claim that its Bureau of Scientific Investigation was superior to that of the Tariff Commission. In other words, where any President has not followed the Tariff Commission, he has done so for reason other than scientific ascertainment theoretically contemplated by the existing law.

The distinguished Chairman of the Committee on Finance was so much pleased with Mr. O'Brien's testimony that he referred to it in his speech explaining the bill and called attention to the fact that he happened to be a Republican.

I do not care where he comes from or what his politics is or who appointed him. I think he exhibited such a disregard for the duties imposed upon him as a member of the Tariff Commission as to make him unworthy of holding any such position. So far as I am concerned, if I believed a majority of the Tariff Commission were as willing as is Mr. O'Brien to do the bidding of the Chief Executive in order to keep their jobs, I should certainly be in favor of repealing the flexible provision of the tariff.

In view of this testimony and in view of the administration's desire to leave this flexible provision in the law, one is forced to the conclusion that the purpose is to give to the Executive the power to use both methods in dealing with the tariff, and thus reduce it 75 percent instead of what appears on the face of the bill to be 50 percent.

Mr. President, I must say that I am a little disappointed that the chairman of the committee should be so certain of his position that he pays no attention to the arguments made on this side of the Chamber against the pending bill. There is a proposal in the bill with respect to the definition of duties and other import restrictions, and I hoped I might have had his attention when I discussed it.

DEFINITION OF DUTIES AND OTHER IMPORT RESTRICTIONS

It will be observed that the President, by paragraph 2 of section 350 (a) of this bill, is given authority—

To proclaim such modifications of existing duties and other import restrictions—

And so forth.

Paragraph (c) of the same section gives a definition of the term "duties and other import restrictions", and I desire to call attention to the importance of this definition and the extent to which it goes.

Mr. President, may I express the hope that the Senators who have not carefully analyzed the entire meaning of this bill will read tomorrow the analysis which I am about to make of it and see whether or not they agree with me.

Mr. LEWIS. Mr. President, before the Senator embarks upon what must necessarily be a discussion in detail of considerable importance, may I bring him back to the observation he has just indulged as to the member of the Tariff Commission who is known as "Mr. Robert Lee O'Brien." I do not know whether the able Senator from Delaware knows Mr. O'Brien. I know him, but not with an intimacy comparable to that of the eminent Republican Senators. May I not ask this question: With respect to the testimony of Mr. O'Brien, in which he referred to the fact that the President no doubt would make a suggestion if he had a conviction, or that the members of the Commission would no doubt adopt the President's view, does not the able Senator fancy that what he meant to convey was that, as the President is held to responsibility, and under the flexible provision is allowed to change the rates up or down if the recommendations of his Tariff Commission commend themselves to him, the President would be obeyed in those matters wherein he must take a responsibility, as it is the President himself who makes the change and not the Tariff Board, which Board merely investigates under the direction of the President? The President himself reaches the conclusion and makes the decision. Does not the Senator feel that Mr. O'Brien merely meant to say that, in view of that fact, the President's desire upon the question became at once the judgment which had to be followed, and therefore the Board merely obeyed it?

Mr. HASTINGS. As nearly as I can find, any possible excuse for Mr. O'Brien's attitude and statement it is that, after the Tariff Commission makes a scientific investigation and submits a recommendation to the President under the flexible provision of the tariff, because there is nothing to compel the President to take that final judgment of the Tariff Commission, in that sense the flexible provision of the tariff is not entirely effective. To be as liberal and generous as one can be with him, one cannot find any other excuse for what he said when he undertook to say that this was Presidential tariff making.

What shocks me, and what I think any respectable man ought to be ashamed to admit, is that because he is appointed by the President and because his term expires, or the President under the Constitution has a right to remove him, the President has an influence on him in trying to determine a fact which is governed by a rule fixed by the Congress. That is what I complain about, and that is what is shocking to me.

I never saw Mr. O'Brien before the time of the hearing, and the impression I got was that he wanted to do most of the talking and did not like it when anyone interrupted him. That is the greatest complaint I have to make with respect to him. But there cannot be any defense of what he said; there cannot be any defense of what he admitted; and I say frankly that if a different kind of men cannot be obtained to assist in administering the flexible provision of the tariff, then those Senators who were opposed to that provision some years ago were entirely justified. I never believed, and I do not believe now that it is true. The chairman himself proved that it was not true, because he called attention to the fact that the President became angry at the Tariff Commission because he wanted a certain recommendation followed and could not get it, which of itself shows that we still live under a constitutional form of gov-

ernment and still have honest officials undertaking to administer the laws of this Nation.

Mr. LEWIS. May I say to the Senator from Delaware that I do not rise to make any particular defense or in advocacy of the gentleman himself, though I have known him. I was a Member of the House of Representatives during the time when the gentleman served as correspondent, I think, for a Boston newspaper—the Transcript, if I am not in error. Subsequently history records that he returned to Boston and became an eminent editor. He is a character of some renown in literature and, further, as has been intimated by the able Senator in speaking on this subject, a distinguished and leading Republican.

But this much may I add? With his renown, many men know him as a gentleman above the suggestion that his conscience could be overcome or his character overruled from any motive other than that of very honest conviction. The able Senator may upon investigation be assured that not even the President of the United States could have induced him to do a thing or say a thing he did not himself honestly feel was right.

I think the mistake lies in the construction the able Senator from Delaware gives rather than in what transpired. I take it that the gentleman meant that where the President indicated, upon his own knowledge and investigation, he felt a certain feature of the tariff must be changed and that the recommendation of the Commission should be in favor of this or that, and he had the facts to justify such position, then the member of the Tariff Commission would withhold his own previous judgment and yield to that which conflicted with it when expressed by the President.

The able Senator feels that his observations justify the conclusion that he was willing to ascertain what was the point of view of the President and, without regard to any conscience in the matter, yield to it and lend himself to the favor of those who had the appointing power to the position.

Mr. HASTINGS. I may say in reply to the distinguished Senator from Illinois that I have not made these observations about Mr. O'Brien based upon rumors I have heard about his conduct of his office. I never heard a word said against him in my life. What I have said is not based upon rumors, and it is not based upon what somebody told me. It is based upon what I heard from his own lips and what I read into the RECORD a few moments ago. If someone can take that language and make a defense of it, I should be delighted to have it done, because I think it is a slur upon every administrative officer of the whole land. I did not like to leave the RECORD as it stood, and I repeated it and asked him if he intended to leave that impression, and the Senator from Illinois has heard me read the answers which he made to those particular questions.

Mr. LEWIS. I thank the Senator for allowing me to interrupt him to inject the viewpoint I have. I still insist it is a mere difference of construction, and that the RECORD might do a great injustice to a gentleman where he cannot defend or justify himself, which I think we would all regret.

Mr. HASTINGS. I think, in view of the fact that I have placed in the RECORD his exact language, if I have been unjust to him, those reading the RECORD will see that I was mistaken in my interpretation, and what I have said will do him no harm.

Mr. HATFIELD. Mr. President—

The PRESIDING OFFICER (Mr. POPE in the chair). Does the Senator from Delaware yield to the Senator from West Virginia?

Mr. HASTINGS. I yield.

Mr. HATFIELD. Were any other members of the Tariff Commission given an opportunity either to substantiate or disprove or protest against the statements made by the Chairman of the Tariff Commission?

Mr. HASTINGS. So far as I know the matter was not pursued further. The Chairman of the Tariff Commission was brought before the committee of the Senate, as he was brought before the committee of the House. He made the statement before the two committees, and he made it time and time again, that the President has the power now to

regulate the tariff and "what you are giving him by this bill is not different from that which he now has." That was stated time and time again, not by somebody who does not know about the subject, but by the Chairman of the Tariff Commission who knows the act under which he was appointed, who knows the rule that is laid down to guide him. He came before the committee, and the news went out all over the country that the Chairman of the Tariff Commission had said that this bill will give the President no more power than he now has, that he has now the opportunity to change the tariff 50 percent up or 50 percent down.

Mr. HATFIELD. But does not the Senator feel that it was an injustice to the other members of the Tariff Commission that they were not given an opportunity by the Finance Committee to be heard upon the statement made by the Chairman of the Tariff Commission as to the attitude of the President in controlling the Commission in arriving at its conclusions?

Mr. HASTINGS. Of course, I was not chairman of the committee, and I did not suggest that any of them be called. So far as I know, nothing was done about it. Mr. O'Brien said they were here about the city and could be called.

There was a suggestion made to me afterwards that the names would be given to me, and that if I would call them, I would find they would take a different position from that of Mr. O'Brien.

I did not pursue the matter. This was an "emergency" measure, and the chairman of the committee was anxious to get through with the hearings, anxious to get the bill reported to the Senate, and anxious to have it passed. I did not want to do anything that would look as though I was trying to interfere with his wishes in the matter.

Mr. FESS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Delaware yield to the Senator from Ohio?

Mr. HASTINGS. I yield.

Mr. FESS. Did the Chairman of the Tariff Commission state there was no more authority given in the pending bill than the President now has under the present law?

Mr. HASTINGS. He said it not only once, but he said it many times.

Mr. FESS. Is it a proper inference, then, that the present law, which provides for the collection of data by a fact-finding commission under a certain formula, is a law which says "find what the President wants and then undertake to establish that by facts, so that the President will have the final say regardless of the facts"?

Mr. HASTINGS. It was difficult for me to draw any other possible conclusion, although I propounded that identical question by inquiring of Mr. O'Brien whether or not he was willing to violate his oath in order to please the President. He promptly denied that he or any other member of the Commission would violate his oath, and then undertook to make some excuse by saying that it was so vague as to what facts were to be determined that he might reach any conclusion without violating his oath.

Mr. FESS. If that is the policy of the Tariff Commission it ought to be abolished.

Mr. HASTINGS. That is the conclusion I reached.

Mr. President, I shall return to that part of the bill to which I desire to call the especial attention of Senators. It will be observed that the President, by section 2 of the bill, is given authority "to proclaim such modifications of existing duties and other import restrictions", and so forth. I am quite certain there will be many Senators on both sides of the Chamber, if they agree with my analysis of this section, who will agree with me that it ought to be modified.

Paragraph (c) of the same section gives a definition of the term "duties and other import restrictions", and I desire to call attention to the importance of this definition and the extent to which it goes.

The definition first includes "rate and form of import duties and classification of articles." There is in those words, as I shall undertake to show, an unlimited authority to the President actually to destroy the tariff act.

The general impression is that the authority given to the President under this measure is to increase or decrease the present tariff duties by 50 percent. If that were all the power given him, section 2 would merely provide that the President was given authority "to proclaim such modification of existing rates of duty." Bear in mind, however, that that is not the only authority. He is given authority over the "rate and form of import duties and classification of articles." That would limit the authority of the President to the 50-percent increase or decrease as before suggested; but the very next important authority refers to the "form of import duties." That means that where, in the tariff act, it is provided that the ad valorem rates shall be based upon the American selling price of any similar competitive article manufactured or produced in the United States, it can be changed from the American selling price to the foreign selling price, which is of a great importance, at least to the chemical industry, to which this provision especially applies.

That, however, is not the only change that can be made. Section 402 of the Tariff Act of 1930 undertakes to give the basis of the value. This has to be administered by the appraiser. It provides that he shall take as the value the foreign value or the export value, whichever is higher. If this cannot be satisfactorily ascertained, then he shall take the United States value. If neither the foreign value or the United States value can be ascertained, then he shall take the cost of production.

The assessment of duty under all of these important provisions of the present tariff act may be changed by the inclusion in this bill of the one word "form." Instead of the appraiser selecting the values under the provisions of section 402, which Congress has so carefully provided for the protection of the revenue, the President could make the selection of the form of duty, and if the commodity is now being appraised on the American selling price, or the United States value, he could proclaim that the new rate shall be taken on foreign value. In other words, there is a broad authority, and apparently an intended authority, to give to the President the opportunity to change entirely the form applied to import duties.

Mr. President, I got the impression that that was correct, and I checked it somewhat to be certain. After I had satisfied myself that it was correct I discovered a discussion of the Tariff Act of 1929 by the late distinguished Senator from Montana, Mr. Walsh. He called attention to the meaning of this language, and he also called attention to its importance, and stated that the Senate had stricken the language out of the House bill because they were afraid it would render the act unconstitutional.

I desire to read from the CONGRESSIONAL RECORD of September 26, 1929, page 3983, the following language:

Mr. WALSH of Montana. After that bill was reported containing the provisions to which I have called attention, argument followed upon the floor of the Senate against the constitutionality of that feature of the measure, and eventually the provisions so assailed were eliminated, and those which now appear in the law were substituted in their stead.

Another change was made with respect to language which I shall now read:

"Whenever the President . . . shall find it thereby shown that the duties fixed in this act do not equalize the said differences in conditions of competition in trade, he shall, by such investigation, ascertain said differences and determine and proclaim" now observe "changes in classification or forms of duty or increases or decreases in any rate of duty."

In the revised Senate committee amendment the words "forms of duties" were eliminated. The argument had evidently alarmed the sponsors for the bill and an effort was made to free it from its more vulnerable features.

The Smoot amendment and the present law are the same in that respect. They both omit the words "forms of duties" but retain "changes in classification."

I desire to call attention here to the fact that in this bill both phrases are left—both "forms of duties" and the "changes in classification."

Senator Walsh of Montana continued:

"Changes in classification", as I understand, relates to changes from one paragraph to another where a different rate prevails, and "changes in forms of duty" I understand to be a proposal to change ad valorem duties to specific duties, or vice versa.

Mr. President, if we can constitutionally grant this power to the President, why should we not give him the right to transfer specific rates to ad valorem rates in order to equalize the difference in the cost of production? Evidently Senators on the other side, enlightened by whatever discussion took place upon the floor, concluded that they had better not take a chance on giving any such power to the President. So I believe it has been the reasoned conclusion of the Senate of the United States that an act would be unconstitutional framed in the language of the House provision of the bill before us.

But perhaps there is a more important and a more dangerous provision in the first part of that definition. It includes not only the rate and form of import duties but the "classification of articles."

"Classification of articles" gives to the President more power than the limitation of 50 percent of the present tariff act. The only authority at all in the present tariff law with respect to the change of classification is in the flexible provision. Under the flexible provision of the Tariff Act of 1930, upon recommendation of the Tariff Commission, the President may change the classification, and thus enlarge his power to increase or reduce the tariff rates 50 percent. The Tariff Commission is limited by certain specific rules. The President is not in any sense limited here. If he is given authority to change the classification, he may change an article bearing a rate of 70 percent to a class having a duty of only 35 percent, and thus reduce the tariff by 50 percent before he begins his reduction of 50 percent, so that the article bearing a duty of 70 percent would ultimately be reduced to 17½ percent. Under the flexible provision of the tariff he may reduce it by 50 percent upon recommendation of the Tariff Commission, and then, under the authority given him by this bill, he may reduce it by another 50 percent; but he really has three opportunities here to reduce the tariff. Upon recommendation of the Tariff Commission he may reduce it 50 percent. He may then reclassify it, and thus reduce it another 50 percent; and then he may make an agreement with a foreign country reducing it an additional 50 percent. So, if the provision with respect to the classification of articles remains in the bill, the whole rate structure in the tariff bill falls; the 50-percent provision in the bill becomes of little importance, because under the authority of classification there is absolutely no limit to what the President can do.

Now let us take the second part of the definition, which includes "limitations, prohibitions, charges, and exactions other than duties, imposed on importation or imposed for the regulation of imports."

The words "limitations, prohibitions, and charges" are not difficult to understand. Under this authority will come embargoes, quotas, and similar restrictions which the President at the present time under the existing law has the power to impose. For example, cattle from Mexico are prohibited from entering the United States because of the presence of the hoof-and-mouth disease. There is an embargo on bulbs from Holland because of a plant disease; shrubbery from Japan is prohibited because of the San Jose scale; and numerous other limitations are placed on imports under existing laws, all of which may be removed at the President's pleasure, under the bill.

The particular thing to which I desire to call the Senate's attention, however, are the words "exactions other than duties." This provision would give to the President the power to exempt certain imports from the operation of excise taxes, internal-revenue taxes, and other levies under existing laws. At the present time, if there be imported into this country an article upon which there is an internal-revenue tax, it becomes the duty of the custom officials to see that that tax is paid before releasing the goods to the importer. The courts have held that, regardless of how such taxes may be designated by the Congress, if they are imposed on imports while in customs custody, they are essentially customs duties and are determinable and collectible as prescribed by law. In other words, under this act the internal-revenue tax on distilled spirits, wines, and cordials, and fermented malt liquors, as well as on cigars, cigarettes, snuff, and tobacco, playing cards, yachts, lubri-

cating oil, matches, gasoline, tires, toilet preparations, furs, jewelry, automobile trucks and parts, radios, mechanical refrigerators, sporting goods, firearms and shells, pistols and revolvers, cameras and lenses, candy, chewing gum, soft drinks, oleomargarine, as well as many other articles, could, by the proclamation of the President, be relieved of the internal-revenue tax, as well as the reduction of the 50 percent in the tariff rate.

I particularly want the attention of those Senators who are interested in the tax on imported articles in the Revenue Act of 1932. Some of the articles at least will be found in section 601 of that act. They include crude petroleum, fuel oil, gasoline or other motor fuel, lubricating oil, paraffin and other petroleum wax products; coal of all sizes, grades, and classifications, with certain exemptions; lumber of many kinds; copper-bearing ores, and so forth. The taxes on these articles may all be done away with by agreements with foreign countries.

Those who are interested in protecting the oil industry in this country may get a fair idea about what will happen to the present tax on oil if they will read the speech of Secretary Hull made when he was a Member of the Senate on May 19, 1932, as follows:

Here comes the giant oil industry, a great \$12,000,000,000 business in this country, involving a natural resource which does not cost anybody a penny to create, a great industry which has had to its advantage during the past 10 years a favorable balance of exports in the huge amount of \$3,600,000,000, coming here and complacently demanding that the people's representatives, the representatives of the American public, shall vote to this huge octopus—and I say that in no spirit of criticism—a special subsidy running up into the hundreds of millions of dollars, to be paid for largely by the 30,000,000 farm population, hopelessly prostrate, overwhelmed with debt, with commodity prices so low it does not pay to remove farm products from the farm; a demand also that the wage-earning population, which, with their families aggregate sixty to seventy million, together with the agricultural population, shall bear the lion's share of this bald, unadulterated subsidy in the way of an increased price, under tariff shelter, above what the price to the farmer and wage earner would otherwise be.

So it seems to me that those who are interested in maintaining and protecting the oil industry by having that tax remain on the statute books might very well consider whether or not they are giving too much power to the President under this bill.

It will thus be observed that this one section of the bill is quite as important as the provision which limits the President's power to 50 percent of the present tariff rates, if not more important.

If it be true that the word "form" in this definition does not have the important meaning which I have given to it, if it be true that it is not intended to give authority for the classification of articles as suggested by me, if it be true that it is not intended to give the power to the President to remove the internal-revenue tax from the articles on the list of items which I have given, then the proponents of this bill ought to make it perfectly clear that it is not intended to pass any such power over to the President under this definition.

The power given to the President under the proposed act is generally understood to be limited to 50 percent of the tariff rates now existing. The Chairman of the Committee on Finance admits that under the terms of the bill the flexible provision is left in it, and that it is perfectly possible for the President to make two reductions of 50 percent each, one upon recommendation of the Tariff Commission and the other by agreement with a foreign power. If the word "form" is left in this definition, an additional authority is given, under which the reduction to be made is mere speculation. If we leave the right to classify the articles under this definition, we give almost unlimited authority to the Executive to again reduce the tariff rate. If we leave the words "exactions other than duties imposed on importations", we give the opportunity to exempt from taxation all imported articles upon which a special tax has been imposed.

I call the attention of the Senate especially to these facts. It is proposed by the pending bill that there be invested in the President of the United States these powers:

First. Reduction of the present tariff rates by 50 percent upon recommendation of the Tariff Commission.

Second. A further reduction of 50 percent by Executive agreement with a foreign country.

Third. A further reduction by changing the form of the import duties.

Fourth. A further reduction by changing the classification of the article upon which the tariff exists.

Fifth. A further reduction by eliminating internal-revenue taxes upon many articles imported.

Thus it appears that the authority of reduction by 50 percent, which is so shocking to many of us, becomes only a small part of the tremendous power given under the bill and results in the conclusion that the tariff act may at the will of the President become almost wholly destroyed.

Mr. FESS. Mr. President, will the Senator yield?

Mr. HASTINGS. I yield.

Mr. FESS. I have listened to the Senator's recital of the powers to be given to the President under the pending bill. Is not that tantamount to an approach to absolute free trade with other countries, under the power proposed to be given the President?

Mr. HASTINGS. As I have pointed out, in my judgment—and I have not exaggerated the situation—a careful examination of this tariff bill shows five means of reduction; it shows five distinct and separate ways of reducing the tariff, and certainly those five different ways can be so manipulated that if the President wanted to he could leave this country without any tariffs at all to protect either farm products or the products of any industry of the Nation.

I have undertaken to emphasize this fact because I think the general impression has gone abroad that, however much we may dislike this particular measure, the President can not do more than he has had the power to do heretofore under the flexible provision of the tariff, except that under that provision he was bound to have certain facts found, namely, the difference between the cost of production at home and abroad, and if we pass this bill and give the President that power, he will be limited, after all, to making a reduction of 50 percent.

If Senators will review the newspaper comments concerning the President's proposal, ever since it was made, there will nowhere be found any suggestion that the President was given any more power than to reduce the tariff 50 percent or to increase it 50 percent; and not until the colloquy between the distinguished junior Senator from Michigan [Mr. VANDENBERG] and the distinguished chairman of the committee the other day did I realize that it was possible to have a 50-percent reduction, first, under the flexible provision of the tariff, and then another 50-percent reduction by a contract with a foreign nation.

That was the first shocking thing about the bill that came to my attention. Then I began to analyze the bill, and I found something in it which, perhaps, some Senators have not discovered. I do not know how many Senators know that it is in the bill; I do not know how many have made a careful analysis of it; but I will say that I found under the language used, "the rate and form of import duties", that in the case of the chemical industry, in which the American valuation is the very life of the tariff which protects the industry, if the proposed language shall be left in the bill it will be easy enough to change the valuation to the foreign valuation and absolutely and entirely destroy the chemical industry.

In addition to that, there may be taken the classification rule which before was protected by a recommendation of the Tariff Commission, which protection is now all gone, and it will be found that under that rule the President may, by a stroke of the pen in a contract with a foreign nation, take a classification which now has a duty of 80 percent and change it to one that has a rate of only 40 percent, or 20 percent, or 10 percent, and then he may go on after that with his other various schemes of reduction.

In addition to all that, as I have called to the attention of the Senate, he may take cigars coming from Cuba, which now have a tariff rate on them and which also pay an

internal-revenue tax, and he may reduce the tariff just as I have explained.

In addition to that, he may wipe off entirely the tax on imports which now have an internal tax.

Mr. HARRISON. Mr. President, will the Senator yield for an interruption?

Mr. HASTINGS. I yield.

Mr. HARRISON. Mr. President, I submit a unanimous-consent request, which I hope may be agreed to. The request is that beginning on Monday at 3 o'clock there shall be a limitation of debate, and that after 3 o'clock on that day no Senator shall speak longer than 20 minutes on the bill or 15 minutes on any amendment, and that no Senator shall speak more than once on the bill or on any amendment.

I may say to the Senator from Oregon that I understand the speeches on the other side are about exhausted. There should be ample time before the limitation of debate begins; and even after that, as requests come in, any Senator would have at least 35 minutes to speak.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. McNARY. Mr. President, I shall have to object to that proposal. I desire to assure the Senator from Mississippi, in charge of the bill, that the speeches have not been exhausted. Other Senators are to speak. I feel that ample opportunity has not been given, nor could it be given under the Senator's proposal, for an adequate and full discussion of the unfinished business.

I am willing to consider a proposal that there be a limitation on speeches of 20 minutes on the bill and 15 minutes on amendments commencing at 2 o'clock on Wednesday, provided the hours of the daily sessions shall be reasonable, the Senate meeting not earlier than 11 o'clock and continuing in session not later than 5:30.

Mr. HARRISON. I may say that, of course, I want every Senator to have an opportunity to discuss the bill if he desires to do so, and I have no disposition to try to bring the Senate here at an earlier hour than is convenient, or to keep the Senate in session to an unduly late hour. It seems to me, however, that putting off the limitation of debate until 2 o'clock Wednesday is quite too long.

Mr. McNARY. It is possible that debate on the bill will exhaust itself earlier. Then, of course, the bill will be read, but I wish to have sufficient time allotted to enable some absent Senators to discuss the measure. I think that is a very reasonable suggestion.

Mr. HARRISON. Will not the Senator agree to begin the limitation of debate at 5 o'clock on Tuesday? I am willing to make it 5 o'clock on Tuesday.

Mr. McNARY. I should very much prefer my own proposal. I think I might consider 12 o'clock on Wednesday.

Mr. HARRISON. I am willing to accept the proposal of the Senator if we can get an agreement that after 12 o'clock on Wednesday the debate shall be limited as suggested.

Mr. LONG. Mr. President—

The PRESIDING OFFICER. The Senator from Delaware has the floor. Does the Senator from Delaware yield to the Senator from Louisiana?

Mr. HASTINGS. I yield.

Mr. LONG. There is only one amendment which would prevent me from agreeing to the proposal which has been made. I have been asked by other Senators who are not in the Chamber, who have gone home, to say that on the agricultural amendment they do not desire to be limited in their discussion, the agricultural amendment being the one asking the exclusion of the authority as to agricultural products. Two Senators have stated to me that they want no limitation on the discussion of that amendment. If that amendment can be excluded from the terms of the agreement, I do not think there will be any objection.

Mr. HARRISON. Of course, we cannot get anywhere if any amendment is excluded, because then we shall have no agreement with respect to limitation of debate.

Mr. McNARY. Let me suggest to the Senator from Louisiana that perhaps he would be satisfied with a limitation of 30 minutes on the agricultural amendment.

Mr. LONG. I do not suppose I am violating any confidence in stating that the senior Senator from Idaho [Mr. BORAH] thinks he will require in excess of an hour to discuss the agricultural amendment. The same thing is true with respect to my colleague [Mr. OVERTON], who has not discussed the bill at all.

Mr. HARRISON. I am willing to make an exception, that, with respect to the Senator from Idaho [Mr. BORAH] and the junior Senator from Louisiana [Mr. OVERTON], they may each be given an hour on the agricultural amendment.

Mr. LONG. Mr. President, may we not have it understood that there shall be no limitation of debate on this one amendment, the agricultural amendment?

Mr. CLARK. Mr. President, so far as that proposition is concerned, I should be forced to object to it. The Senator from Louisiana [Mr. LONG] has made at least two or three speeches here in his own time, and two or three other speeches in other Senators' time, in the course of this debate; and I see no reason why an exception should be made in behalf of the Senator from Louisiana. I am perfectly willing, in behalf of the Senator from Idaho, or the junior Senator from Louisiana, who has not delayed the Senate in this matter, to make an exception, as suggested by the Senator from Mississippi; but opening up the gate in accordance with the suggestion of the senior Senator from Louisiana would amount to no limitation of debate whatever.

Mr. McNARY. Will the Senator from Louisiana and the Senator from Mississippi agree to make an exception in the case of agricultural and horticultural products—not with respect to any one Senator but generally—that there shall be a limitation of 1 hour?

Mr. HARRISON. No; I do not think we would get anywhere with such an agreement, so I withdraw my request.

Mr. NEELY. Mr. President, before the Senator from Mississippi withdraws his request—

Mr. HARRISON. Mr. President, if the Senator from West Virginia will permit me to make a further statement, I am perfectly willing to accept the suggestion that the limitation of debate start at 12 o'clock on Wednesday, and that the limitation shall be 15 minutes on any amendment and 20 minutes on the bill, and that each Senator shall be confined to one speech on the bill and one speech on each amendment, with the further exception that the junior Senator from Louisiana [Mr. OVERTON] shall be given 1 hour to speak on the agricultural amendment, and that the senior Senator from Idaho [Mr. BORAH] shall be given the same time. I think that is perfectly fair.

Mr. McNARY. I should want to add to that the amendment of the senior Senator from California [Mr. JOHNSON].

Mr. HARRISON. I am willing to give him 1 hour.

Mr. LONG. Mr. President, I think I should be given credit for trying to expedite the bill, which I do not suppose I will by some. I might suggest that it is very hard to say which Senators shall speak. We have tried that several times and never gotten anywhere. For instance, I have spoken on the bill in my own time only some 2 hours, I think—not to exceed that. It is true I have interrupted Senators, as has the Senator from Mississippi.

Mr. HARRISON. I have not interrupted much.

Mr. LONG. Nor have I interrupted very much. I have spoken very little, taking it all in all, except for the time I have taken out of other Senators' time. I have done it purposely so that it might not be charged against me that I am filibustering. It is difficult to pick out which Senators shall be permitted to speak.

There is a peculiar reason why the agricultural amendment should be exempted. Perhaps at a later date we can reach an agreement on that amendment.

Mr. HARRISON. Mr. President, if the Senator will permit an interruption, I should like to submit this unanimous-consent request, that the limitation of 15 minutes on each amendment and 20 minutes on the bill shall be applied to all other amendments, but that so far as the agricultural amendment offered by the Senator from California [Mr. JOHNSON] is concerned, the limitation shall be 1 hour.

The PRESIDING OFFICER. Is there objection?

Mr. LONG. The amendment has not been offered by the Senator from California. There are three amendments, one by the Senator from Rhode Island, one by the junior Senator from Louisiana, and one by the Senator from California. That is why I think we had better except the agricultural amendments. I think those three Senators can probably get together and combine their amendments in one.

Mr. McNARY. Mr. President, I am privileged to speak for the Senator from California [Mr. JOHNSON] and to say that he would be very well satisfied with the arrangement proposed by the Senator from Mississippi.

Mr. LONG. The Senator from California would be willing to accept a 1-hour limitation on his amendment?

Mr. McNARY. Yes.

The PRESIDING OFFICER. That refers only to the amendment of the Senator from California?

Mr. McNARY. No; to all agricultural amendments.

Mr. LONG. I am going to accept that, although I think Louisiana is the chief agricultural State which is to be put out of business. I am not going to object to that arrangement. Louisiana being a sugar State, everything is being directed against us. My understanding is that the arrangement will be effective Wednesday beginning at 2 o'clock. Is that correct?

Mr. McNARY. Wednesday at 12 o'clock.

Mr. LONG. I understand that beginning Wednesday at 12 o'clock the bill shall be disposed of in the following manner: All debate on each amendment shall be limited to 15 minutes and on the bill to 20 minutes to each Senator, with the exception of the amendments relating to agricultural products. Whose amendments?

Mr. HARRISON. The Johnson amendment.

Mr. LONG. The junior Senator from Louisiana [Mr. OVERTON] has an amendment. I do not know whether or not the Johnson amendment is as good as the Overton amendment.

Mr. McNARY. They are precisely alike.

Mr. LONG. We included wool in ours. We are trying to get a few more votes! [Laughter.] Let us provide that the agreement shall apply to agricultural amendments, including wool, whether it is the amendment of the Senator from California or the Senator from Louisiana or the Senator from Rhode Island.

Mr. HARRISON. Everybody knows what "agricultural amendments" mean.

Mr. CLARK. Mr. President, under the agreement now proposed by the Senator from Mississippi, there is permitted to every Senator, after 12 o'clock noon on next Wednesday, an hour and 35 minutes for debate. The proposal of the Senator from Louisiana would add 2 hours of debate for each Senator on the bill in addition to the hour and 35 minutes already agreed to. It is simply a vehicle for a filibuster.

The PRESIDING OFFICER. Is there objection to the unanimous-consent proposal of the Senator from Mississippi?

Mr. LONG. Yes; I object.

Mr. HARRISON subsequently said: Mr. President, will the Senator from Delaware yield to me?

Mr. HASTINGS. I yield.

Mr. HARRISON. Following some conferences with the Senator from Oregon, the Senator from Louisiana and others, I desire to submit again a request for unanimous consent that beginning on Wednesday at 12 o'clock, no Senator shall speak more than once or longer than 15 minutes upon any amendment, or more than once or longer than 20 minutes on the bill, with the exception of the agricultural amendment which has been offered by the Senator from California [Mr. JOHNSON] and the Senator from Louisiana [Mr. OVERTON], as to which the limitation shall be 1 hour.

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Mr. President, do I understand that under the proposed agreement a Senator will be permitted to

speak for an hour on the Johnson amendment and another hour on the Overton amendment?

Mr. McNARY. Oh, no!

Mr. HARRISON. No.

Mr. CLARK. For instance, would the Senator from Louisiana [Mr. LONG], who has already spoken three times, be permitted to speak for an hour on the Johnson amendment, and then for another hour on the Overton amendment?

Mr. McNARY. No, indeed. The exception applies to the agricultural amendment. There are two such amendments.

Mr. CLARK. I think it should be specified that if a Senator speaks on one of those amendments for an hour, he shall not be permitted to speak on the other amendment.

Mr. HARRISON. It is not the desire that a Senator shall be permitted to speak more than an hour on either of those amendments.

Mr. LONG. That is it.

Mr. HARRISON. So I shall eliminate the names of the two Senators and just say "the agricultural amendment."

The PRESIDING OFFICER. Is there objection?

Mr. CLARK. Do I understand that a Senator will not be permitted to speak oftener than once nor longer than an hour on either or both of the Johnson-Overton amendments?

Mr. HARRISON. That is true.

Mr. McNARY. That is correct.

Mr. LONG. That is right.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Mississippi?

Mr. LONG. Mr. President, so that we may have that understood, the Senator from Mississippi has the agreement in writing, and I do not think any changes at all have been made in it. If the Senator will send it up to the desk, he will have it altogether.

Mr. HARRISON. I think what I have stated in the motion is exactly as read.

Mr. LONG. Yes; it is.

Mr. HARRISON. This writing reads:

That this bill shall be disposed of in the manner that beginning at 12 o'clock noon Wednesday, no Senator shall speak more than once nor longer than 15 minutes on any amendment, nor longer than 20 minutes nor more than once on the bill, except that on the amendment relating to agricultural products no Senator shall speak more than once nor longer than 1 hour.

Mr. LONG. That is right.

Mr. CLARK. That is on all the amendments?

Mr. LONG. Yes, sir.

The PRESIDING OFFICER. Without objection, the unanimous-consent agreement is entered into.

Mr. HARRISON. Does the Senator from Delaware desire to proceed further this evening? I am perfectly willing to agree to whatever he may desire to do. If he wishes to proceed with his speech this evening, we will remain and listen to him.

Mr. HASTINGS. That would be more than the Senator has been doing.

Mr. HARRISON. If the Senator desires to proceed tomorrow and that we recess at this time, we can take a recess, or we can go over until Monday. We have had an extremely hard week, meeting at 11 o'clock in the morning, and I am perfectly willing that the Senate shall take a recess until Monday.

Mr. McNARY. I suggest that we take a recess until 11 o'clock tomorrow, when the Senator from Delaware may conclude his remarks.

Mr. LONG. Did I understand the Senator to suggest that we take a recess until tomorrow? I thought we were to have Saturday off.

Mr. LEWIS. Not if the Senator from Louisiana is present. [Laughter.]

Mr. LONG. I shall not be present.

Mr. McNARY. I suggest to the Senator from Mississippi that we now take a recess until tomorrow morning at 11 o'clock.

Mr. HARRISON. It is desired that there be an executive session.

Mr. McNARY. Let us have the understanding, then, that we will take a recess until 11 o'clock tomorrow morning.

Mr. HARRISON. Very well.

During the delivery of the speech of Mr. HASTINGS,

Mr. LONG. Mr. President, I desire to have the attention of the junior Senator from Wyoming [Mr. O'MAHONEY]. I may not be able to get his attention later, but I see he is in the Chamber just at this moment.

Mr. O'MAHONEY. Mr. President, if the Senator will pardon me, I will give my attention to him in just a moment.

Mr. LONG. I am going to send to the desk a letter and ask that it be read. The letter is from the vice president of the National Wool Growers' Association and it deals with an official communication issued by that organization. I am going to send it to the desk and ask that it be read.

The PRESIDING OFFICER (Mr. HATCH in the chair). Without objection, the clerk will read, as requested.

Mr. O'MAHONEY. Mr. President, with the permission of the able Senator from Louisiana, may I ask that the reading be postponed for about 5 minutes?

Mr. LONG. Very well.

Mr. LONG subsequently said: Mr. President, I should like now to have read, in the presence of the Senator from Wyoming [Mr. O'MAHONEY] the letter to which I have referred.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

WILLARD HOTEL,
Washington, D.C., May 17, 1934.

The PRESIDENT,

The White House.

MY DEAR MR. PRESIDENT: The woolgrowers of the country naturally have been deeply concerned over the proposed amendments to the tariff act as included in H.R. 8687.

Statements and testimony by the Secretary of Agriculture, Secretary of State, and the Chairman of the Tariff Commission have given us grounds to expect that duties on imported wools may be reduced when the pending bill becomes law.

An article appearing in the San Angelo (Tex.) Morning Times of May 11 attributes to you a statement which would be very reassuring to us. This article quotes you as saying, "No wool-grower need fear the administration of the tariff-bargaining authority." A copy of this article is attached.

Since we have not seen this statement elsewhere, we respectfully inquire as to whether it is authentic and expresses your views and policies.

I expect to be in Washington, at the Willard Hotel, until May 22. Thereafter I shall be at my home in San Angelo, Tex.

Yours respectfully,

E. S. MAYER,
Vice President National Wool Growers Association.

Mr. LONG. Mr. President, my purpose in asking my friend from Wyoming to listen to this letter is that it was sent to the White House on the 17th day of May; and if the wool growers could get an official communication from the White House in answer to it, which I am sure my friend from Wyoming might be of material assistance in securing, it would be highly appreciated. They have asked me to bring the matter to his attention.

Mr. O'MAHONEY. Mr. President, the Senator from Louisiana is very skillful in building his fires. I send to the desk a communication which I ask to have read.

The PRESIDING OFFICER. Without objection, the communication will be read.

The legislative clerk read as follows:

MAY 25, 1934.

Hon. JOSEPH C. O'MAHONEY,

Hon. KEY PITTMAN,

United States Senate.

DEAR SENATORS: Following our conversation in my office last Wednesday, I asked the wool and mohair advisory committee of the Farm Credit Administration to make a survey of the wool situation.

On the basis of the information available, it reports that wool is in a much stronger statistical position now than a year ago, or at any time during the past several years. American stocks of raw wools were substantially lower on January 1, 1934, than on January 1, 1933, and stocks of wool in secondary markets of the world are not considered burdensome. Furthermore, in view of the present price differential, the foreign wool situation is beneficial rather than detrimental to the American wool market at this time.

Domestic consumption of wools continues to exceed domestic production. While a weak undertone in present wool values is reported, I am advised that this is due largely to a lack of demand,

occasioned by the fact that there still is a sizable accumulation of wool in various stages of manufacture which has not yet reached its final destination and to seasonal conditions.

There is nothing in the statistical position of domestic wool, either the remainder of the 1933 clip or the prospective clip for 1934, to indicate lower values. I am advised by the wool and mohair advisory committee that these views are shaded by those in the trade whose judgment is recognized as reliable.

The unsold wools of the 1933 clip, held under the so-called "wool marketing plan" of the Farm Credit Administration, represent a relatively small proportion of the total tonnage of wools consigned under the plan. There has been no change in the established policy of the Farm Credit Administration with reference to the marketing of wool in which its agencies have a financial interest, regarding which I made the following statement at the time the 1934 marketing plan was announced:

"Wools handled under the Administration's marketing plan will continue to be marketed in an orderly manner in response to consumptive demand. The price of wool during the 1934 season will be determined by fundamental factors of supply and demand. Following the institution of the plan for the handling of the 1933 clip, prices of grease wool in the country advanced sharply and wool continued to rise throughout the greater part of the season. With wool at present values, a rise of no such proportions this year is anticipated. Nevertheless, the plan should assure the industry a much firmer price foundation than might otherwise exist without it. It is not an effort to control prices but one to try to prevent unnecessary fluctuations."

Very truly yours,

W. I. MYERS, Governor.

Mr. O'MAHONEY. Mr. President, Mr. H. B. Embach, chairman of the Wool and Mohair Advisory Committee, on May 23 issued this statement:

After a careful study of the present situation in the wool market, and with due consideration of the interests of the wool-grower, the manufacturer, the wool trade, and the consumer, the Wool and Mohair Advisory Committee feels that there is nothing in the present quietness of the market that would justify any change in present quoted wool values.

Mr. LONG. Mr. President, that does not give us any information that we think will do us any good. That is simply what I should consider another nice, balmy letter, and I congratulate my friend from Wyoming on getting it.

Mr. O'MAHONEY. Mr. President, I doubt if the Senator from Louisiana desires any information that would do him any good.

Mr. LONG. What we want, to put it in good, turkey-talking language, is this: We want the President to say that he is not going to reduce the tariff on wool. That is all we want him to say. If he will say that, that will help us. Nothing less than that will do us any good. Statistics do not mean anything. We have a book full of them.

Mr. NEELY. Mr. President, I ask unanimous consent that no more wool shall be pulled over our eyes in this tariff debate. [Laughter.]

EXECUTIVE SESSION

After the conclusion of the speech of Mr. HASTINGS,

Mr. LEWIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

Mr. SHEPPARD, from the Committee on Military Affairs, reported favorably the nominations of sundry officers in the Regular Army and general officers in the National Guard.

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER (Mr. POPE in the chair). The reports will be placed on the calendar.

If there be no further reports of committees, the calendar is in order.

THE CALENDAR—TREATIES AND NOMINATION PASSED OVER

The legislative clerk proceeded to read the first treaty on the calendar.

The PRESIDING OFFICER. The treaties on the calendar will go over, without objection, and also the nomination of Daniel D. Moore to be collector of internal revenue for the district of Louisiana.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Leon Dominian to be secretary in the Diplomatic Service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

DEPARTMENT OF THE TREASURY

The legislative clerk read the nomination of Herman Oliphant to be General Counsel for the Department of the Treasury.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

MARINE CORPS

The legislative clerk read sundry nominations for promotions in the Marine Corps.

Mr. LEWIS. I ask unanimous consent that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

That completes the calendar.

Mr. McNARY. Mr. President, may I inquire what became of the nomination of Daniel D. Moore to be collector of internal revenue for the district of Louisiana?

The PRESIDING OFFICER. The nomination went over.

Mr. HARRISON. Mr. President, there was a matter the Senator from Massachusetts was anxious to have taken up, but he is not in the Chamber at the moment.

RECESS

Mr. LEWIS. As in legislative session, I move that the Senate take a recess until 11 o'clock a.m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 3 minutes p.m.) the Senate took a recess until tomorrow, Saturday, May 26, 1934, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 25 (legislative day of May 10), 1934

SECRETARY IN THE DIPLOMATIC SERVICE

Leon Dominian to be secretary in the Diplomatic Service.

GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY

Herman Oliphant to be general counsel for the Department of the Treasury.

DIRECTOR BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Claudius T. Murchison to be Director Bureau of Foreign and Domestic Commerce.

PROMOTIONS IN THE MARINE CORPS

Frederick A. Barker to be colonel.

Clarke H. Wells to be lieutenant colonel.

William W. Ashurst to be major.

Ralph D. Leach to be captain.

George W. McHenry to be captain.

Mercade A. Cramer to be first lieutenant.

James M. Fountain, to be chief quartermaster clerk.

POSTMASTERS

GUAM

James H. Underwood, Guam.

KANSAS

George E. Broadie, Ashland.

Dixie Elliott, Blue Rapids.

Eyman Phebus, Coldwater.

Elmer R. Eyman, Deerfield.

Augustus M. Graves, Garnett.

Nat G. Walker, Great Bend.

Rosa J. Munger, Hanover.

Warren D. Gilmore, Highland.

John J. Lindsay, Horton.

Pearl E. Holmes, Kincaid.

Arthur G. Long, Kingman.

Axel A. Peterson, La Harpe.

Helen M. Collins, Lenexa.

Francis G. Burford, Longton.

Harry M. Brodrick, Marysville.

Nellie F. Walsh, Mayetta.

Ernest F. Gerber, Meriden.

Perry S. Kozel, Morrowville.

George W. Brownell, Moscow.

Charles Huffman, Norwich.

Cecil C. Pember, Olathe.

Ruth Hopson, Phillipsburg.

Ronald E. Mangrum, Pittsburg.

Clyde Williams, Preston.

Vie Peacock, Protection.

Hugh Corcoran, Severance.

Tracy A. Hand, Veterans' Administration Home.

J. Raymond E. Simmons, Wellsville.

Ernest B. Hedge, Whiting.

SAMOA

David J. McMullin, Pago Pago.

VIRGIN ISLANDS

Halvor Berg, Frederiksted.

SENATE

SATURDAY, MAY 26, 1934

(Legislative day of Thursday, May 10, 1934)

The Senate met at 11 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. HARRISON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, May 25, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HARRISON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Couzens	Kean	Robinson, Ark.
Ashurst	Cutting	Keyes	Robinson, Ind.
Austin	Davis	King	Russell
Bachman	Dickinson	La Follette	Schall
Bankhead	Dieterich	Lewis	Sheppard
Barbour	Dill	Logan	Shipstead
Barkley	Duffy	Loneragan	Smith
Black	Erickson	Long	Steiwer
Bone	Fess	McCarran	Stephens
Borah	Fletcher	McGill	Thomas, Okla.
Brown	Frazier	McKellar	Thomas, Utah
Bulkeley	George	McNary	Thompson
Bulow	Glass	Metcalf	Tydings
Byrd	Goldsbrough	Murphy	Vandenberg
Byrnes	Gore	Neely	Van Nuys
Capper	Hale	Norbeck	Wagner
Caraway	Harrison	Norris	Walcott
Carey	Hastings	O'Mahoney	Walsh
Clark	Hatch	Overton	Wheeler
Connally	Hatfield	Patterson	White
Coolidge	Hayden	Pittman	
Copeland	Hebert	Pope	
Costigan	Johnson	Reynolds	

Mr. LEWIS. I announce the absence of the Senator from North Carolina [Mr. BAILEY], the Senator from Florida [Mr. TRAMMELL], the Senator from Wisconsin [Mr. DUFFY], and the Senator from Massachusetts [Mr. COOLIDGE], who are necessarily detained on public business. I regret to announce that the Senator from California [Mr. McADOO] is still detained from the Senate because of illness.

Mr. HEBERT. I announce that the Senator from Vermont [Mr. GIBSON], the Senator from North Dakota [Mr. NYE], the Senator from Pennsylvania [Mr. REED], and the Senator from Delaware [Mr. TOWNSEND] are necessarily absent.

The VICE PRESIDENT. Eighty-nine Senators have answered to their names. A quorum is present.

REPORT OF FEDERAL DEPOSIT INSURANCE CORPORATION

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Federal Deposit Insurance Corpo-